

Public Hearing Comments and Responses

Involuntary Annexation

CITY OF WESTFIELD

2008

TABLE OF CONTENTS

Common Concerns Addressed	2
Individual Responses to Speakers	3
Appendix A. Involuntary Annexation Public Hearing Transcript 8/25/08	72
Appendix B. Firearms Ordinance	83
Appendix C. Burning Regulations	84

Common Concerns Addressed

Zoning: The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: “This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance.” Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.

Property Taxes: It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analyses that show the estimated difference between township and city taxes as a result of annexation.

Services: The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.

Water/Sewer Connection: Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.

Trash Service: If the City was to provide a uniform trash service across the entire City all designated residencies within the proposed annexation areas would be allowed to participate.

Fire Arms: The City Firearms Ordinance does not prohibit the reasonable use of firearms in the protection of persons or property, including the protection of livestock or farm animals in an area zoned for agriculture use. Please refer to Westfield City Ordinance in Appendix B.

Fire Code/Burning: Washington Township and the City of Westfield are governed by the same fire code as administered by the Westfield Fire Department. The act of annexation will have no effect on the administration of the code. Therefore, there will be no change in the nature of enforcing open burning after annexation. Please see Appendix C. for the Burning Regulations from the Indiana Code (IC) and the Indiana Administrative Code.

Speaker #1 and #17

Name of Speaker: Tim Clark

Ordinance: 08-18 SE Area 1 (See Exhibit “B”)

Property of Concern: Property between veterinarian clinic and BAM adjacent to S.R. 32

Property Class: Ag – Vacant lot

Parcel Number: 08 10 06 00 00 008.000

Address: 0 S R 32

Westfield, IN 46074

Summary of Concerns Voiced:

Concerned that existing land uses will be compromised by annexation. Wants ensured that existing land uses will be able to be continued regardless of annexation. Satisfied with existing service providers and doesn't see a benefit to annexation.

Response:

1. The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: “This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance.” Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.
2. The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.
3. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.

Speaker #1 and #17 Property

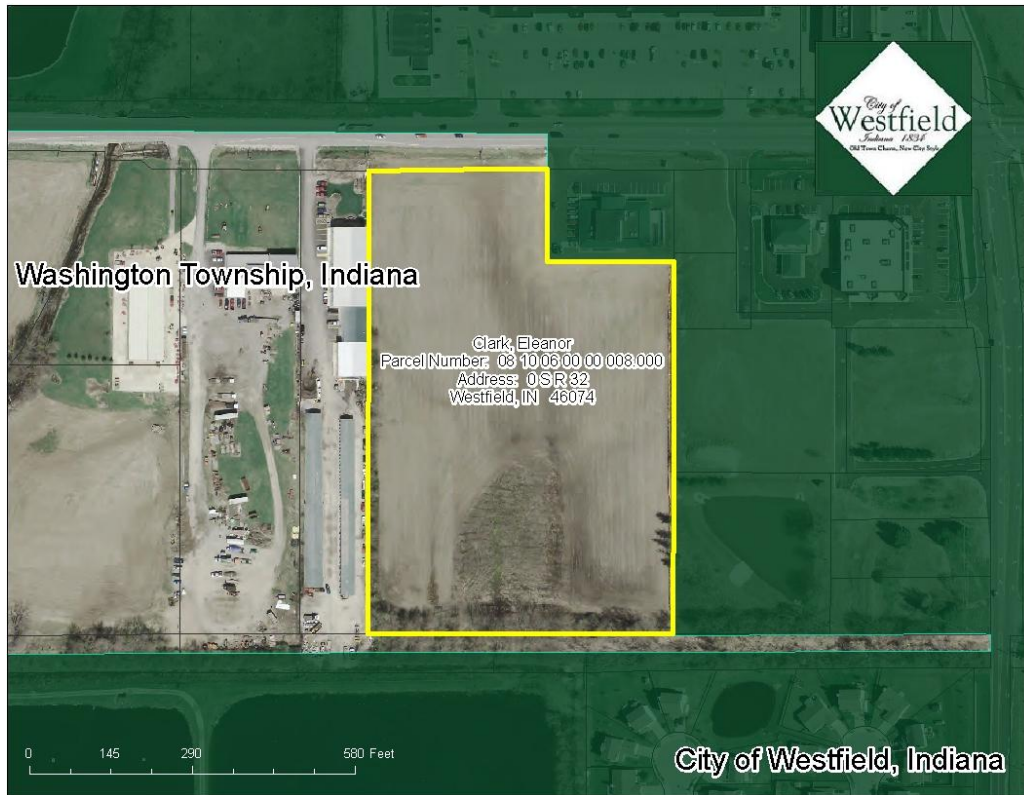
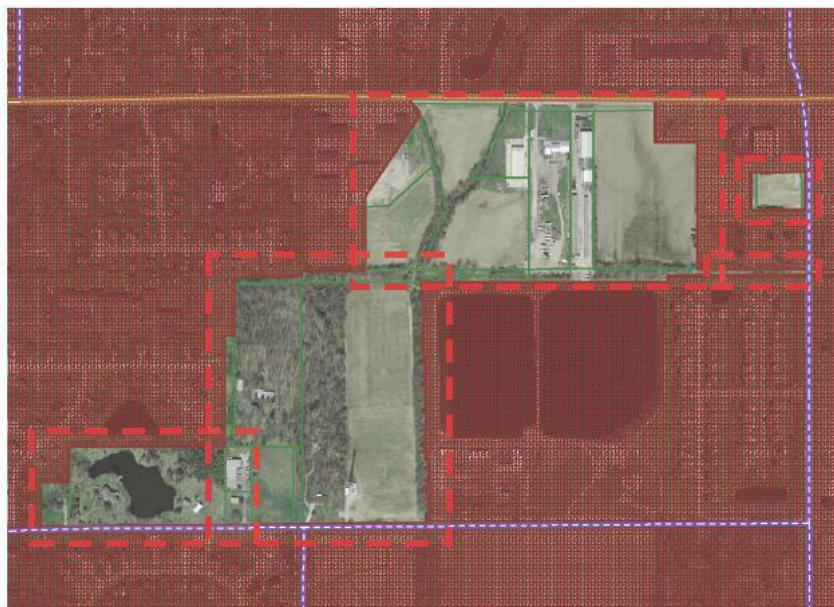


Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #1 and #17 Tax Analysis

Tax Analysis for:				
Clark, Eleanor 08 10 06 00 00 008.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$0	\$0	\$0	
Non-Residential AV	\$15,000	\$15,000	\$15,000	\$292
Total AV	\$15,000	\$15,000	\$15,000	
Standard Homestead Deduction	-	-	-	2010 Est. Westfield Tax Bill
Mortgage Exemption (ME)	-	-	-	\$300
Net Residential AV	-	-	-	
Non-Residential AV	15,000	15,000	15,000	
Net Total AV	15,000	15,000	15,000	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	(56)			
Net TTV	15,000	15,000	15,000	
Actual Tax Bill for 2008 (rounded)	\$292			\$280
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$325	\$280	
Tax Bill with 2% Agricultural Cap 2010		\$300	\$300	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$300	\$280	\$20	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$292	\$300	\$8	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #2

Name of Speaker: Robert Whitmoyer

Ordinance: 08-20 SE Area 3 (See Exhibit “B”)

Property of Concern: Property on south east side of S.R. 32 and Gray Road

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 06 32 00 00 010.000

Address: 3510 Westfield Rd

Westfield, IN 46074

Summary of Concerns Voiced:

Taxes. Submitted a letter of concern.

Response:

1. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.
2. The matters discussed in Mr. Whitmoyer’s letter question certain matters that may be grounds for disallowing an annexation by a court if in fact a remonstrance is filed and sustained. The matters discussed and contained in the comprehensive plan are not restrictions on the use of property or possible rezoning of the property.

Speaker #2 Property



Exhibit "B"
Aerial / Location Map



 Subject Property

Speaker #2 Tax Analysis

Tax Analysis for:				
Whitmoyer, Robert L & Helen Irene 08 06 32 00 00 010.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$138,100	\$138,100	\$138,100	
Non-Residential AV	\$7,500	\$7,500	\$7,500	\$1,566
Total AV	\$145,600	\$145,600	\$145,600	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	-	-	-	\$1,456
Net Residential AV	93,100	93,100	93,100	
Non-Residential AV	7,500	7,500	7,500	
Net Total AV	100,600	100,600	100,600	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(32,585)	(32,585)	
2008 SPTRC and Homestead Credit	767			
Net TTV	100,600	68,015	68,015	
Actual Tax Bill for 2008 (rounded)	\$1,566			\$1,268
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$1,475	\$1,268	
Tax Bill with 1% Residential Cap 2010		\$1,456	\$1,456	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$1,456	\$1,268	\$188	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$1,566	\$1,456	-\$110	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #3

Name of Speaker: Robert Benson

Ordinance: 08-23 SE Area 6 (See Exhibit “B”)

Property of Concern: South side of 169th Street adjacent to Brookside

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 10 05 00 00 024.000

Address: 3839 169th St E

Noblesville, IN 46062

Summary of Concerns Voiced:

Doesn't feel that any public services will be enhanced due to annexation. Resident owns the entire parcel, therefore there is no way at least 65% of the land owners can ask for annexation. Feels that his taxes will go up and create a financial burden on him personally. Claims that annexation is not in the best interest of his property. Would like for his property taxes to be frozen for 10 years at 2007 level of \$4,080 until 2018.

Requests that water and sewer hook up fees be waived. Does not want his current land uses to be compromised by annexation.

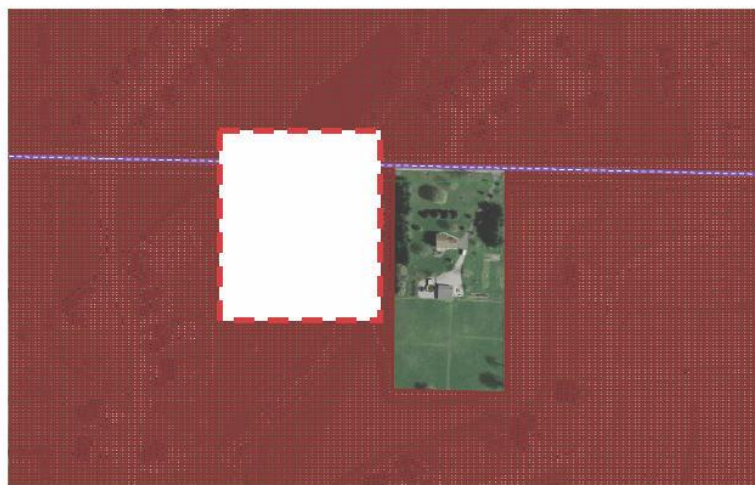
Response:

1. The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property. Freezing taxes as suggested is not likely to favor the property owner if cost is the main concern.
3. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.

Speaker #3 Property



Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #3 Tax Analysis

Tax Analysis for:				
Benson, Robert L 08 10 05 00 00 024.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	\$4,065
Residential AV	\$281,400	\$281,400	\$281,400	
Non-Residential AV	\$30,300	\$30,300	\$30,300	
Total AV	\$311,700	\$311,700	\$311,700	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	
Other Exemption	(5,600)	(5,600)	(5,600)	\$3,117
Net Residential AV	227,800	227,800	227,800	
Non-Residential AV	30,300	30,300	30,300	
Net Total AV	258,100	258,100	258,100	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(79,730)	(79,730)	
2008 SPTRC and Homestead Credit	1,920			
Net TTV	258,100	178,370	178,370	\$3,117
Actual Tax Bill for 2008 (rounded)	\$4,065			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$3,869	\$3,325	
Tax Bill with 1% Residential Cap 2010		\$3,117	\$3,117	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$3,117	\$3,117	\$0	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$4,065	\$3,117	-\$948	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.034	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.37	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #4

Name of Speaker: Cynthia Estes

Ordinance: 08-27 SE Area 10 (See Exhibit “B”)

Property of Concern: 16226 North Gray Road

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 10 08 00 00 008.001

Address: 16226 Gray Rd N

Noblesville, IN 46062

Summary of Concerns Voiced:

Doesn't want to be forced to pay for water, sewer, trash services. Claims that being annexed would create additional costs to her personally.

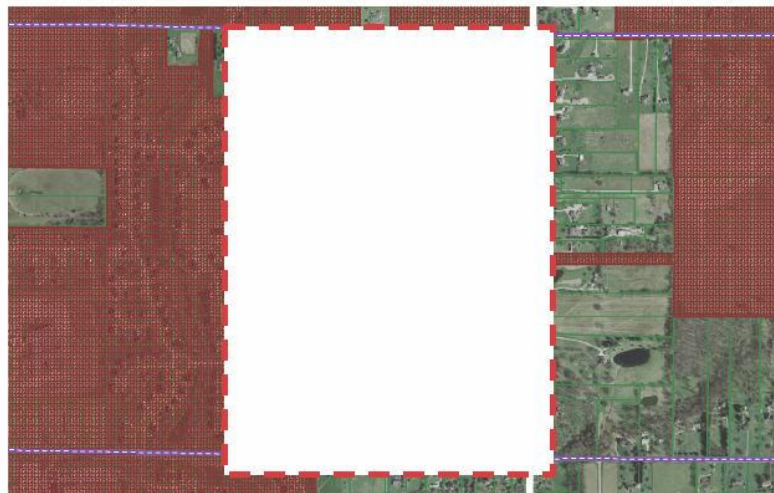
Response:

1. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.
3. If the City was to provide a uniform trash service across the entire City all designated residencies within the proposed annexation areas would be allowed to participate.

Speaker #4 Property



Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #4 Tax Analysis

Tax Analysis for:				
Estes, Cynthia F Estes Living Trust 08 10 08 00 00 008.001				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	\$2,952
Residential AV	\$224,900	\$224,900	\$224,900	
Non-Residential AV	\$13,000	\$13,000	\$13,000	
Total AV	\$237,900	\$237,900	\$237,900	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	\$2,379
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	
Net Residential AV	176,900	176,900	176,900	
Non-Residential AV	13,000	13,000	13,000	
Net Total AV	189,900	189,900	189,900	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(61,915)	(61,915)	
2008 SPTC and Homestead Credit	(1,452)			
Net TTV	189,900	127,985	127,985	
Actual Tax Bill for 2008 (rounded)	\$2,952			\$2,379
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$2,776	\$2,386	
Tax Bill with 1% Residential Cap 2010		\$2,379	\$2,379	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$2,379	\$2,379	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$2,952	\$2,379	-\$573	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #5

Name of Speaker: Kim Patton

Ordinance: 08-27 SE Area 10 (See Exhibit “B”)

Property of Concern: Woodshire Homeowners Subdivision

Property Class: One Family Dwelling Platted

Parcel Number: 08 10 08 00 01 004.000

Address: 16308 Greenwich Dr

Noblesville, IN 46062

Summary of Concerns Voiced:

Concerned about being forced to hook to water and sewer system. Wants to know if City administers residential trash service would they be required to participate. Stated that she already received snow removal, fire protection, and police services. Annexation would create higher taxes. Stated that she is already in one of the highest tax brackets in the City of Westfield.

Response:

1. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.
2. If the City was to provide a uniform trash service across the entire City all designated residencies within the proposed annexation areas would be allowed to participate.
3. The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.
4. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.

Speaker #5 Property

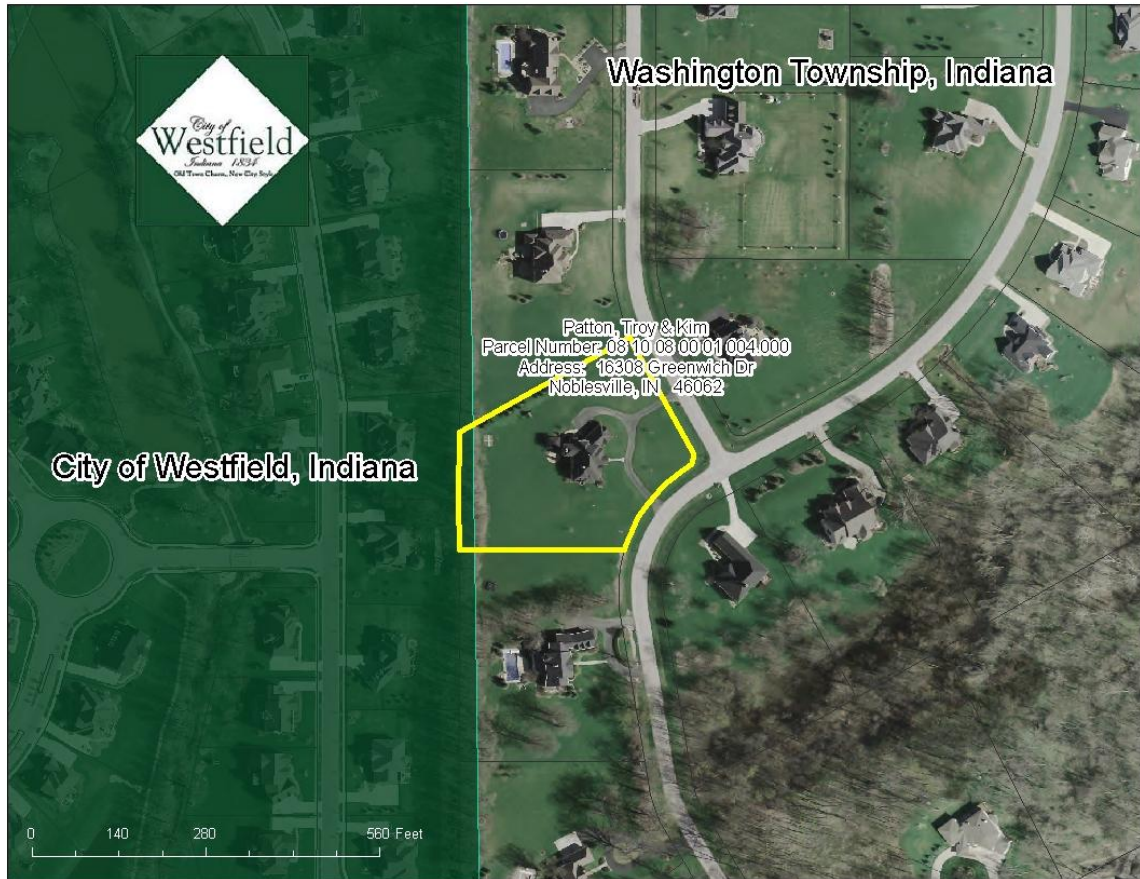
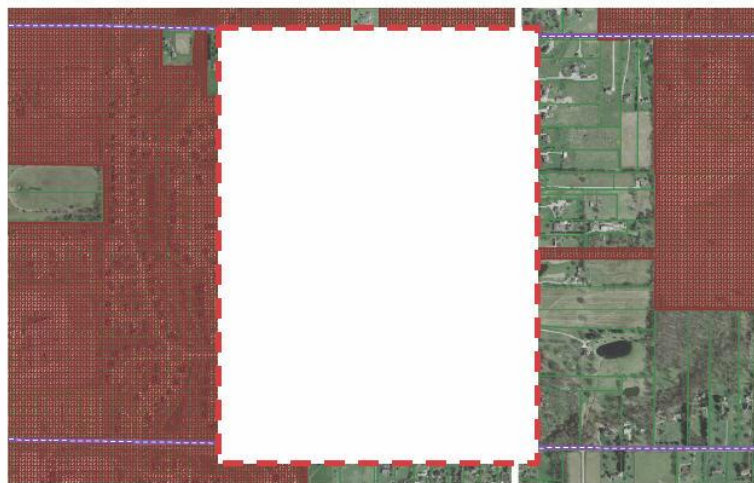


Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #5 Tax Analysis

Tax Analysis for:				
Patton, Troy & Kim 08 10 08 00 01 004.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$500,400	\$500,400	\$500,400	\$7,094
Non-Residential AV	\$9,900	\$9,900	\$9,900	
Total AV	\$510,300	\$510,300	\$510,300	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	\$5,103
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	
Net Residential AV	452,400	452,400	452,400	2010 Est. Washington Township Tax Bill
Non-Residential AV	9,900	9,900	9,900	
Net Total AV	462,300	462,300	462,300	\$5,103
2010 Addl 35% Homestead ME on Res AV	N/A	(158,340)	(158,340)	
2008 SPTRC and Homestead Credit	(3,627)			
Net TTV	462,300	303,960	303,960	
Actual Tax Bill for 2008 (rounded)	\$7,094			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$6,593	\$5,666	
Tax Bill with 1% Residential Cap 2010		\$5,103	\$5,103	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$5,103	\$5,103	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$7,094	\$5,103	-\$1,991	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #6

Name of Speaker: Mike Zeller

Ordinance: 08-31 SW Area 1 (See Exhibit "B")

Property of Concern: 4321 West 166th Street

Property Class: Res-1-Family 10 - 19.99 acres

Parcel Number: 08 09 07 00 00 003.003

Address: 4321 166th St W

Westfield, IN 46074

Summary of Concerns Voiced:

Prefers that the annexation of the Southwest Area 1 be separate from the other annexation areas.

Response:

1. The Southwest Area 1 Annexation is separate from all other annexations being contemplated.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.

Speaker #6 Tax Analysis

Tax Analysis for:				
Zeller, Michael W & Tamien M 08 09 07 00 00 003.003				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$360,700	\$360,700	\$360,700	
Non-Residential AV	\$144,800	\$144,800	\$144,800	\$7,591
Total AV	\$505,500	\$505,500	\$505,500	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	\$5,055
Net Residential AV	312,700	312,700	312,700	
Non-Residential AV	144,800	144,800	144,800	
Net Total AV	457,500	457,500	457,500	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(109,445)	(109,445)	
2008 SPTRC and Homestead Credit	(3,019)			
Net TTV	457,500	348,055	348,055	\$5,055
Actual Tax Bill for 2008 (rounded)	\$7,591			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$7,550	\$6,488	
Tax Bill with 1% Residential Cap 2010		\$5,055	\$5,055	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$5,055	\$5,055	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$7,591	\$5,055	-\$2,536	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #7

Name of Speaker: Jen Smith

Ordinance: 08-31 SW Area 1 (See Exhibit “B”)

Property of Concern: Southwest Area #1

Property Class: Ag - Cash grain/general farm

Parcel Number: 08 09 06 00 00 025.000

Address: 16941 Joliet Rd

Westfield, IN 46074

Summary of Concerns Voiced:

Generally believes that the annexation is mostly about accommodating debt and maintain the rural character of the area, including being allowed to burn and have own septic system (no city connection).

Also questions why exemptions and abatements are not being offered.

Response:

1. The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: “This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance.” Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.
2. Washington Township and the City of Westfield are governed by the same fire code as administered by the Westfield Fire Department. The act of annexation will have no effect on the administration of the code. Therefore, there will be no change in the nature of enforcing open burning after annexation. Please see Appendix C. for the Burning Regulations from the Indiana Code (IC) and the Indiana Administrative Code.
3. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.

Speaker #7 (Continued)

4. The statutory matters stated by the question are the basis for a trial on the remonstrance. The development of the area is not restricted by the Comp Plan. The tax abatements that are in place for the Southwest Annexation were done pursuant to a voluntary request to annex to the Town of Westfield. The language tracks the statute that authorized the abatement.
5. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.

Speaker #7 Property

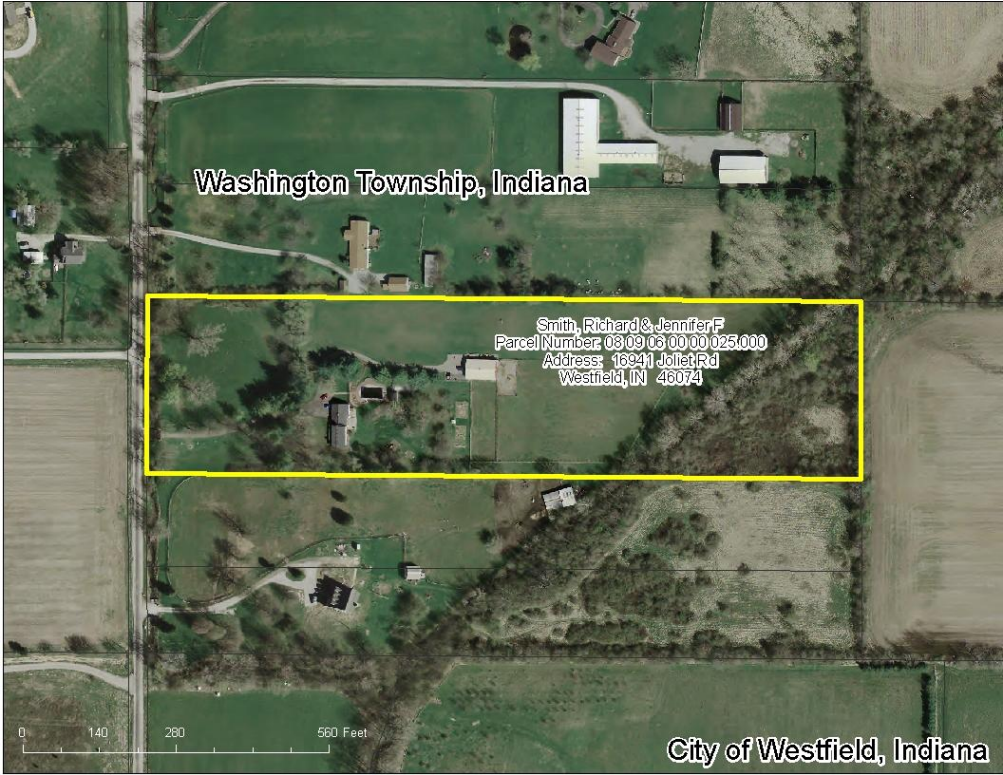
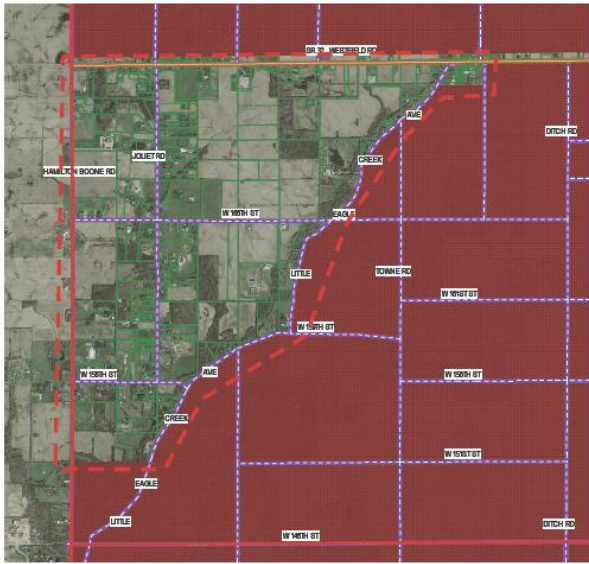


Exhibit "B"
Aerial / Location Map



15

Subject Property

Speaker #7 Tax Analysis

Tax Analysis for:				
Smith, Richard & Jennifer F 08 09 06 00 00 025.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$208,600	\$208,600	\$208,600	
Non-Residential AV	\$28,500	\$28,500	\$28,500	\$3,002
Total AV	\$237,100	\$237,100	\$237,100	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	-	-	-	
Geothermal Exemption	(3,230)	(3,230)	(3,230)	\$2,879
Net Residential AV	160,370	160,370	160,370	
Non-Residential AV	28,500	28,500	28,500	2010 Est. Washington Township Tax Bill
Net Total AV	188,870	188,870	188,870	
2010 Addl 35% Homestead ME on Res AV	N/A	(56,130)	(56,130)	
2008 SPTRC and Homestead Credit	(1,378)	N/A	N/A	
Net TTV	188,870	132,741	132,741	\$2,474
Actual Tax Bill for 2008 (rounded)	\$3,002			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$2,879	\$2,474	
Tax Bill with 2% Agricultural Cap 2010		\$4,742	\$4,742	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$2,879	\$2,474	\$405	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$3,002	\$2,879	-\$122	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #8

Name of Speaker: Mark Werner

Ordinance: 08-31 SW Area 1 (See Exhibit “B”)

Property of Concern: 3925 West 166th Street

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 09 07 00 00 012.003

Address: 3925 166th St W

Westfield, IN 46074

Summary of Concerns Voiced:

Concerned about being forced to connect to water and sewer. Wants to maintain the rural lifestyle that exists (be able to shoot, burn, horses, animals, etc.)

Response:

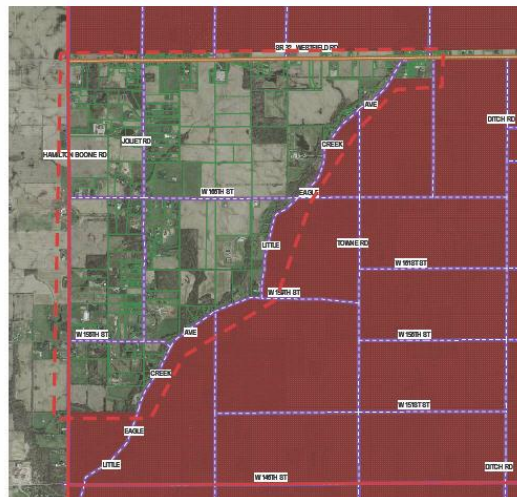
1. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.
2. The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: “This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance.” Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.
3. The City Firearms Ordinance does not prohibit the reasonable use of firearms in the protection of persons or property, including the protection of livestock or farm animals in an area zoned for agriculture use. Please refer to Westfield City Ordinance in Appendix B.
4. Washington Township and the City of Westfield are governed by the same fire code as administered by the Westfield Fire Department. The act of annexation will have no effect on the administration of the code. Therefore, there will be no change in the nature of enforcing open burning after annexation. Please see Appendix C. for the Burning Regulations from the Indiana Code (IC) and the Indiana Administrative Code.

Speaker #8 (Continued) and Property

5. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.



Exhibit "B"
Aerial / Location Map

 Subject Property

Speaker #8 Tax Analysis

Tax Analysis for:				
Werner, Mark E & Kimberly A Dekany Werner 08 09 07 00 00 012.003				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	\$3,406
Residential AV	\$255,800	\$255,800	\$255,800	
Non-Residential AV	\$12,100	\$12,100	\$12,100	
Total AV	\$267,900	\$267,900	\$267,900	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	\$2,679
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	
Net Residential AV	207,800	207,800	207,800	
Non-Residential AV	12,100	12,100	12,100	
Net Total AV	219,900	219,900	219,900	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(72,730)	(72,730)	\$2,679
2008 SPTRC and Homestead Credit	(1,694)			
Net TTV	219,900	147,170	147,170	
Actual Tax Bill for 2008 (rounded)	\$3,406			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$3,192	\$2,743	
Tax Bill with 1% Residential Cap 2010		\$2,679	\$2,679	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$2,679	\$2,679	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$3,406	\$2,679	-\$727	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #9

Name of Speaker: Kathie Collins

Ordinance: 08-19 SE Area 2 (See Exhibit “B”)

Properties of Concern: Jeff’s Jam-It-In Storage

Property Class: Commercial Other structure

Parcel Number: 08 10 05 00 00 005.001

Address: 4185 Westfield Rd

Noblesville, IN 46062

Property Class: Ag - Vacant lot

Parcel Number: 08 10 05 00 00 005.000

Address: 4185 Westfield Rd

Noblesville, IN 46062

Summary of Concerns Voiced:

Claims the City of Westfield does nothing for them and doesn’t want to pay increased taxes.

Response:

1. The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. The City of Westfield provides many services to parcels within Westfield-Washington Township regardless of whether the parcels are located in the City or not. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find the attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your property.

Speaker #9 Property

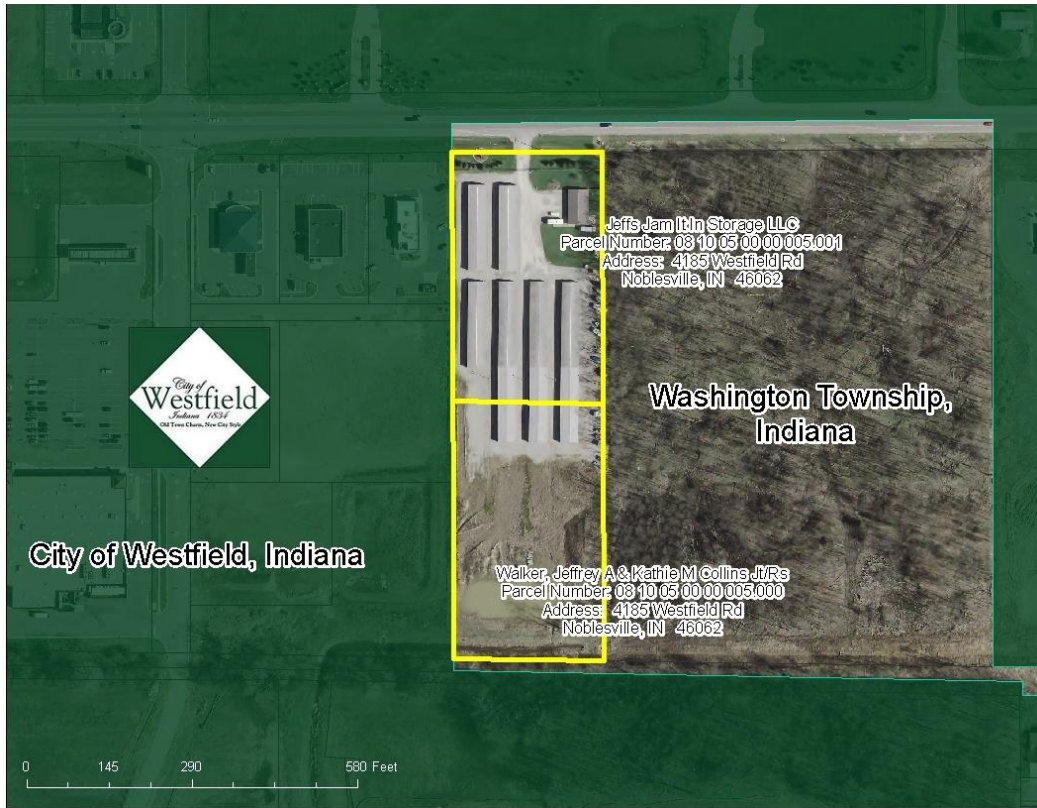



Exhibit "B"
Aerial / Location Map



 Subject Property

Speaker #9 Tax Analysis

Tax Analysis for:				
Jefferies Jam It In Storage LLC 08 10 05 00 00 005.001				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$0	\$0	\$0	
Non-Residential AV	\$876,100	\$876,100	\$876,100	\$17,070
Total AV	\$876,100	\$876,100	\$876,100	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	-	-	-	
Mortgage Exemption (ME)	-	-	-	\$19,004
Net Residential AV	-	-	-	
Non-Residential AV	876,100	876,100	876,100	2010 Est. Washington Township Tax Bill
Net Total AV	876,100	876,100	876,100	
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	3,248			
Net TTV	876,100	876,100	876,100	
Actual Tax Bill for 2008 (rounded)	\$17,070			\$16,331
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$19,004	\$16,331	
Tax Bill with 3% Commercial Cap 2010		\$26,283	\$26,283	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$19,004	\$16,331	\$2,672	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$17,070	\$19,004	\$1,934	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #9 Tax Analysis (Continued)

Tax Analysis for:				
Walker, Jeffrey A & Kathie M Collins Jr/Rs 08 10 05 00 00 005.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$0	\$0	\$0	
Non-Residential AV	\$4,300	\$4,300	\$4,300	\$84
Total AV	\$4,300	\$4,300	\$4,300	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	-	-	-	
Mortgage Exemption (ME)	-	-	-	
Net Residential AV	-	-	-	\$86
Non-Residential AV	4,300	4,300	4,300	
Net Total AV	4,300	4,300	4,300	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	(16)			
Net TTV	4,300	4,300	4,300	
Actual Tax Bill for 2008 (rounded)	\$84			\$80
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$93	\$80	
Tax Bill with 2% Agricultural Cap 2010		\$86	\$86	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$86	\$80	\$6	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$84	\$86	\$2	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #10

Name of Speaker: Jenny Burger

Ordinance: 08-31 SW Area 1 (See Exhibit “B”)

Property of Concern: Southwest Area #1

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 09 06 00 00 008.001

Address: 17110 Joliet Rd

Westfield, IN 46074

Property Class: Other agricultural use

Parcel Number: 08 09 06 00 00 007.002

Address: 481 S 1200 E

Zionsville, IN 46077

Summary of Concerns Voiced:

Concerned about the annexation creating additional taxes (sales tax), suggests that the annexation may be somehow related to the Hamilton County ownership of the airport, wants to be able to continue rural activities (animals, burning, shooting, etc.). Concerned about being forced to connect to water and sewer.

Response:

1. It is true that a business that serves food and beverages will need to raise their sales tax to 8%.
2. The proposed annexation has no correlation to the airport. State law doesn't require contiguity for airport annexation, therefore should the City desire to annex the airport it could do so without the need for any of the proposed annexations creating contiguity.
3. The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: “This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance.” Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.

Speaker #10 (Continued)

4. The City Firearms Ordinance does not prohibit the reasonable use of firearms in the protection of persons or property, including the protection of livestock or farm animals in an area zoned for agriculture use. Please refer to Westfield City Ordinance in Appendix B.
5. Washington Township and the City of Westfield are governed by the same fire code as administered by the Westfield Fire Department. The act of annexation will have no effect on the administration of the code. Therefore, there will be no change in the nature of enforcing open burning after annexation. Please see Appendix C. for the Burning Regulations from the Indiana Code (IC) and the Indiana Administrative Code.
6. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.
7. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analyses that show the estimated difference between township and city taxes as a result of annexation.

Speaker #10 Tax Analysis

Tax Analysis for:				
Fix, Samuel V, Chris E Burger & Jenny Head Burger fka 08 09 06 00 00 008.001				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$229,100	\$229,100	\$229,100	
Non-Residential AV	\$13,900	\$13,900	\$13,900	\$3,033
Total AV	\$243,000	\$243,000	\$243,000	
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	2010 Est. Westfield Tax Bill
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	\$2,430
Net Residential AV	181,100	181,100	181,100	
Non-Residential AV	13,900	13,900	13,900	
Net Total AV	195,000	195,000	195,000	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(63,385)	(63,385)	
2008 SPTRC and Homestead Credit	(1,489)			
Net TTV	195,000	131,615	131,615	
Actual Tax Bill for 2008 (rounded)	\$3,033			\$2,430
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$2,855	\$2,453	
Tax Bill with 1% Residential Cap 2010		\$2,430	\$2,430	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$2,430	\$2,430	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$3,033	\$2,430	-\$603	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #10 Tax Analysis (Continued)

Tax Analysis for:				
An Affair to Remember Inc 08 09 06 00 00 007.002				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$0	\$0	\$0	
Non-Residential AV	\$100,100	\$100,100	\$100,100	\$1,950
Total AV	\$100,100	\$100,100	\$100,100	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	-	-	-	
Mortgage Exemption (ME)	-	-	-	\$2,002
Net Residential AV	-	-	-	
Non-Residential AV	100,100	100,100	100,100	
Net Total AV	100,100	100,100	100,100	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	(371)			
Net TTV	100,100	100,100	100,100	
Actual Tax Bill for 2008 (rounded)	\$1,950			\$1,866
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$2,171	\$1,866	
Tax Bill with 2% Agricultural Cap 2010		\$2,002	\$2,002	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$2,002	\$1,866	\$136	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$1,950	\$2,002	\$52	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #11

Name of Speaker: Brian Beck

Ordinance: 08-31 SW Area 1 (See Exhibit “B”)

Property of Concern: 15448 Little Eagle Creek Avenue

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 09 18 00 00 009.003

Address: 15448 Little Eagle Creek Ave
Zionsville, IN 46077

Property Class: Unplatted 0 - 9.99 acres

Parcel Number: 08 09 18 00 00 009.101

Address: 4041 156th St W
Zionsville, IN 46077

Summary of Concerns Voiced:

Wants to know more specifically when sewer would be available. Wants to be able to shoot predatory animals.

Response:

1. The subject of utility service is commonly misunderstood, due largely to individuals making invalid assumptions with regard to the nature and context of receiving such services. Therefore, the City of Westfield shall simply state the general policy, with additional detail provided below. That general policy is:

The City of Westfield will provide access to sewer and water utility service for any proposed development, with the costs for connecting to that utility service to be borne by the developer/owner, in accordance with the policies and fee structure set forth by the Westfield City Council..

The development policies of the City of Westfield and the Westfield Planning Commission have required developers to install sewer and water utilities within their developments for the vast majority of developed sites in the Township for many years. In most cases, the developer installs such infrastructure and then adds this cost to the price of the developed parcel, meaning that the cost of such infrastructure is paid by each individual property owner. However, in some cases, based upon the specific request of the developer/owner, the development was allowed to proceed without utility connections. Many of these decisions were based on the developer/owner being unwilling to bear the cost of the installation of said utilities. It is not the development intent of the citizens of the City of Westfield to provide a monetary windfall to individuals who initially refused to pay the cost of utility connection by causing the City of Westfield to provide such utility services when their private wells run dry or their septic tanks malfunction. The City's policy for utility connection shall be that the developer/owner may choose not to connect the proposed development to the municipal utility systems, and thus avoid the immediate cost of said connection. However, *when utility connections are later required, for whatever reason, the system of fees and charges promulgated by the Westfield City Council shall apply to that utility connection.* In this

Speaker #11 (Continued)

manner, the cost of installation of utility infrastructure is equitable to all property owners within the service area of the utility, whether the owner decides to connect to the utility systems when the development first occurs, or whether the owner decides to connect at some later date. The City currently has a method for allocating the cost of utility connections in a manner which is favorable to the property owners.

3. The City Firearms Ordinance does not prohibit the reasonable use of firearms in the protection of persons or property, including the protection of livestock or farm animals in an area zoned for agriculture use. Please refer to Westfield City Ordinance in Appendix B.
4. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation for your properties.

Speaker #11 Tax Analysis

Tax Analysis for:				
Beck, Brian D 08 09 18 00 00 009.003				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$152,200	\$152,200	\$152,200	\$1,776
Non-Residential AV	\$13,000	\$13,000	\$13,000	
Total AV	\$165,200	\$165,200	\$165,200	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	\$1,652
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	
Geothermal Exemption	(4,400)	(4,400)	(4,400)	2010 Est. Washington Township Tax Bill
Net Residential AV	99,800	99,800	99,800	
Non-Residential AV	13,000	13,000	13,000	\$1,452
Net Total AV	112,800	112,800	112,800	
2010 Addl 35% Homestead ME on Res AV	N/A	(34,930)	(34,930)	
2008 SPTRC and Homestead Credit	(840)	N/A	N/A	
Net TTV	112,800	77,870	77,870	
Actual Tax Bill for 2008 (rounded)	\$1,776			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$1,689	\$1,452	
Tax Bill with 1% Residential Cap 2010		\$1,652	\$1,652	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$1,652	\$1,452	\$200	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$1,776	\$1,652	-\$124	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #11 Tax Analysis (Continued)

Tax Analysis for:				
Beck, Brian D 08 09 18 00 00 009.101				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$0	\$0	\$0	\$105
Non-Residential AV	\$5,400	\$5,400	\$5,400	
Total AV	\$5,400	\$5,400	\$5,400	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	-	-	-	\$54
Mortgage Exemption (ME)	-	-	-	
Net Residential AV	-	-	-	
Non-Residential AV	5,400	5,400	5,400	2010 Est. Washington Township Tax Bill
Net Total AV	5,400	5,400	5,400	\$54
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	(20)			
Net TTV	5,400	5,400	5,400	
Actual Tax Bill for 2008 (rounded)	\$105			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$117	\$101	
Tax Bill with 1% Residential Cap 2010		\$54	\$54	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$54	\$54	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$105	\$54	-\$51	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #12

Name of Speaker: Dennis Theurer

Ordinance: 08-22 SE Area 5 (See Exhibit “B”)

Property of Concern: 16200 Carey Road Southeast Area #5

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 10 07 00 00 008.001

Address: 16200 Carey Rd

Westfield, IN 46074

Property Class: Other agricultural use

Parcel Number: 08 10 07 00 00 008.002

Address: 0 Carey Rd

Westfield, IN 46074

Summary of Concerns Voiced:

Concerned that annexation will result in additional taxes, wants to be able to burn materials. Doesn't want to be forced to connect to water and sewer. Doesn't see any merit in City providing any additional services.

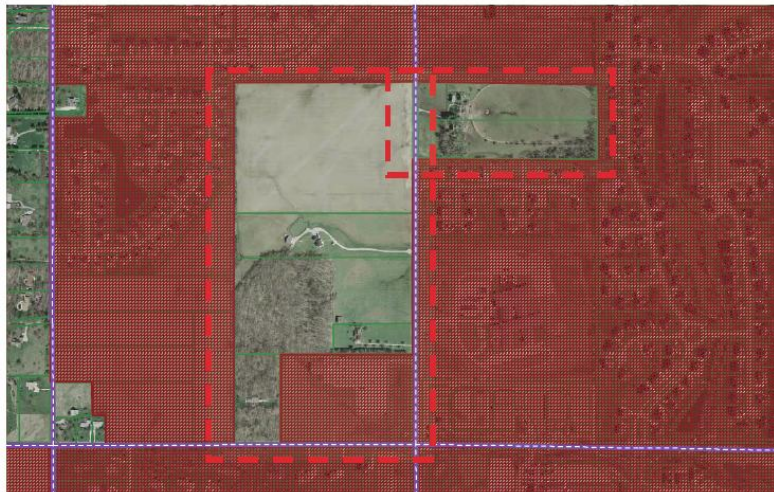
Response:

1. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analyses that show the estimated difference between township and city taxes as a result of annexation.
2. Washington Township and the City of Westfield are governed by the same fire code as administered by the Westfield Fire Department. The act of annexation will have no effect on the administration of the code. Therefore, there will be no change in the nature of enforcing open burning after annexation. Please see Appendix C. for the Burning Regulations from the Indiana Code (IC) and the Indiana Administrative Code.
3. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.
4. The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.

Speaker #12 Property



Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #12 Tax Analysis

Tax Analysis for:				
Theurer, Dennis E & Diana L 08 10 07 00 00 008.001				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$196,100	\$196,100	\$196,100	
Non-Residential AV	\$20,400	\$20,400	\$20,400	\$2,657
Total AV	\$216,500	\$216,500	\$216,500	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	\$2,165
Net Residential AV	148,100	148,100	148,100	
Non-Residential AV	20,400	20,400	20,400	
Net Total AV	168,500	168,500	168,500	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(51,835)	(51,835)	
2008 SPTRC and Homestead Credit	(1,251)			
Net TTV	168,500	116,665	116,665	\$2,165
Actual Tax Bill for 2008 (rounded)	\$2,657			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$2,531	\$2,175	
Tax Bill with 1% Residential Cap 2010		\$2,165	\$2,165	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$2,165	\$2,165	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$2,657	\$2,165	-\$492	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #12 Tax Analysis (Continued)

Tax Analysis for:				
Theurer, Dennis E & Diana L 08 10 07 00 00 008.002				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$0	\$0	\$0	
Non-Residential AV	\$22,000	\$22,000	\$22,000	\$429
Total AV	\$22,000	\$22,000	\$22,000	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	-	-	-	
Mortgage Exemption (ME)	-	-	-	\$440
Net Residential AV	-	-	-	
Non-Residential AV	22,000	22,000	22,000	
Net Total AV	22,000	22,000	22,000	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	(82)			
Net TTV	22,000	22,000	22,000	
Actual Tax Bill for 2008 (rounded)	\$429			\$410
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$477	\$410	
Tax Bill with 2% Agricultural Cap 2010		\$440	\$440	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$440	\$410	\$30	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$429	\$440	\$11	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #13

Name of Speaker: Pat Brown

Ordinance: 08-26 SE Area 9 (See Exhibit "B")

Property of Concern: 17160 North Gray Road

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 10 05 00 00 011.000

Address: 17160 Gray Rd

Noblesville, IN 46062

Summary of Concerns Voiced:

Satisfied with current services being provided and sees the annexation as only adding additional tax burdens.

Response:

1. The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation on your property.

Speaker #13 Property

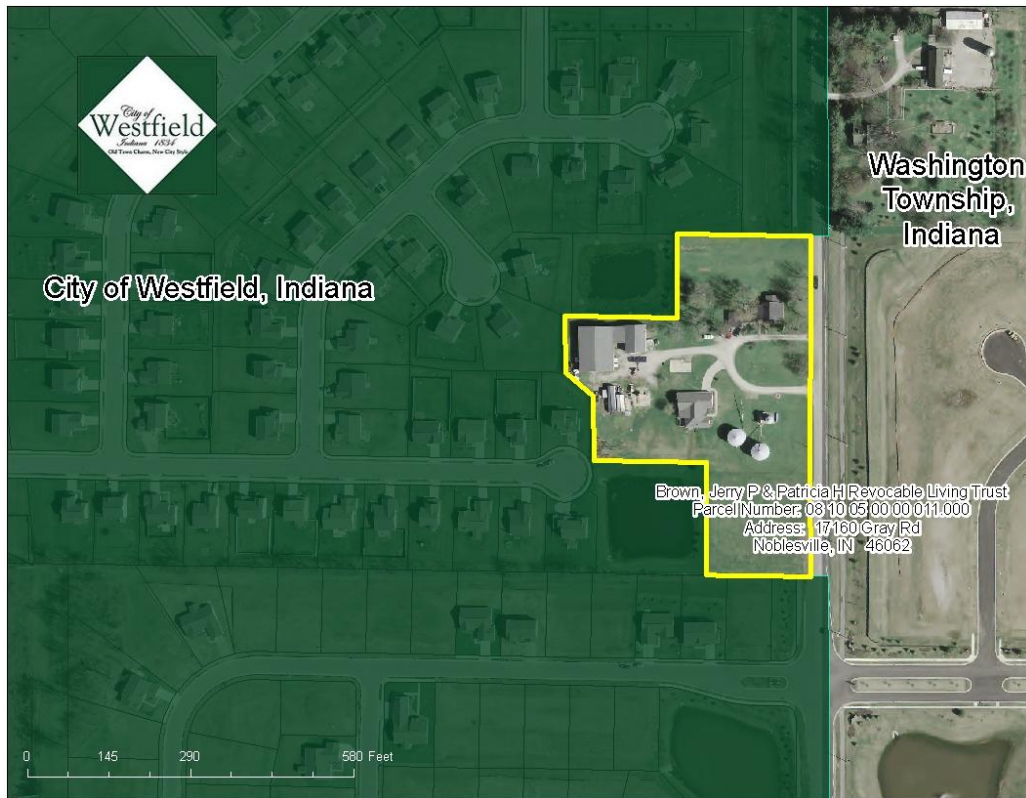


Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #13 Tax Analysis

Tax Analysis for:				
Brown, Jerry P & Patricia H Revocable Living Trust 08 10 05 00 00 011.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$267,200	\$267,200	\$267,200	
Non-Residential AV	\$200,900	\$200,900	\$200,900	\$7,258
Total AV	\$468,100	\$468,100	\$468,100	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	\$4,681
Net Residential AV	219,200	219,200	219,200	
Non-Residential AV	200,900	200,900	200,900	
Net Total AV	420,100	420,100	420,100	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(76,720)	(76,720)	
2008 SPTRC and Homestead Credit	(2,485)			
Net TTV	420,100	343,380	343,380	\$4,681
Actual Tax Bill for 2008 (rounded)	\$7,258			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$7,448	\$6,401	
Tax Bill with 1% Residential Cap 2010		\$4,681	\$4,681	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$4,681	\$4,681	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$7,258	\$4,681	-\$2,577	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #14

Name of Speaker: David Whitmoyer

Ordinance: 08-24 SE Area 7 (See Exhibit “B”)

Property of Concern: O Gray Road

Property Class: Ag - Vacant lot

Parcel Number: 08 10 05 00 00 009.002

Address: 0 Gray Rd

Noblesville, IN 46062

Summary of Concerns Voiced:

Letter of concerns.

Response:

1. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation on your property.

Speaker #14 Property

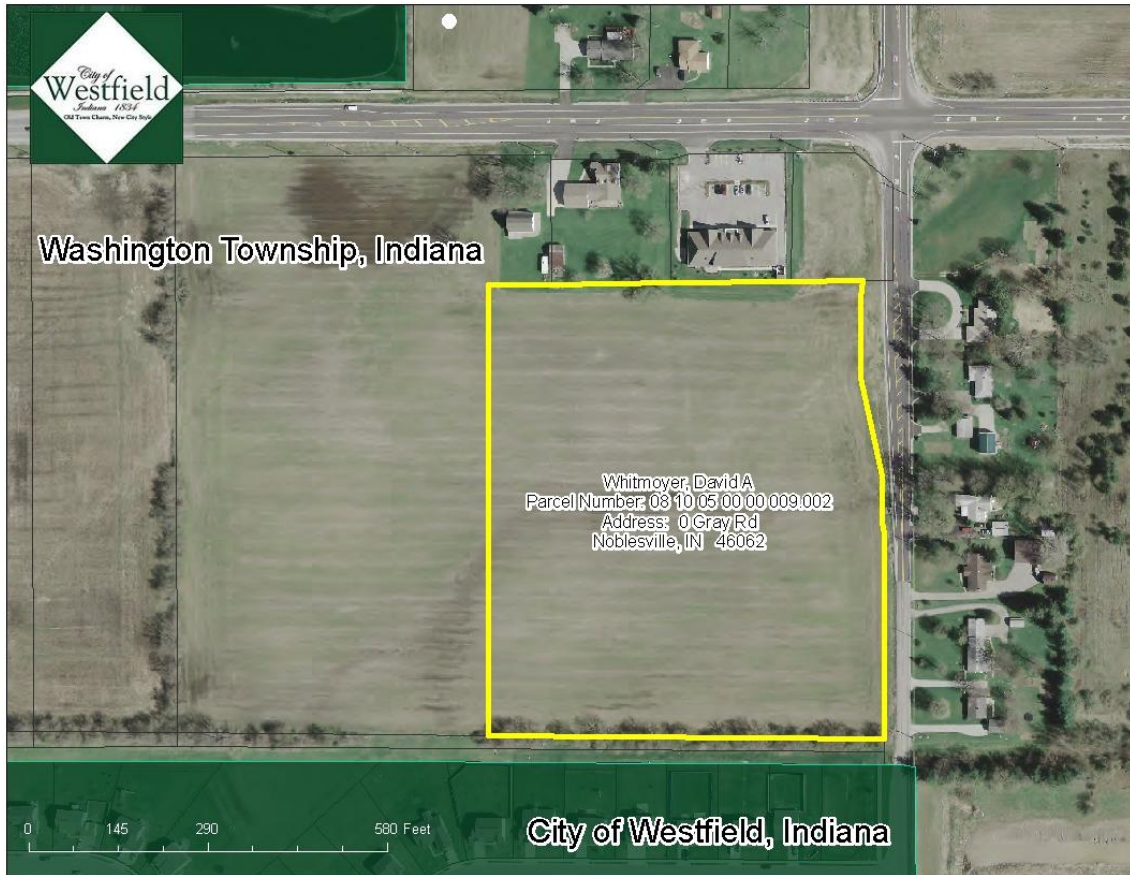
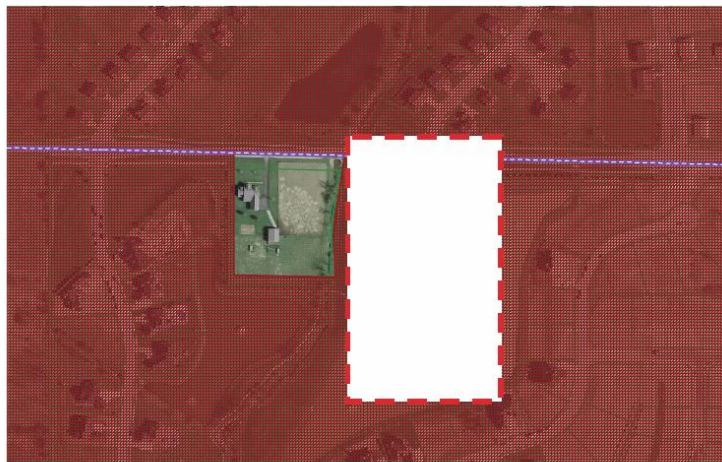


Exhibit "B"
Aerial / Location Map



 Subject Property

Speaker #14 Tax Analysis

Tax Analysis for:				
Whitmoyer, David A 08 10 05 00 00 009.002				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$0	\$0	\$0	
Non-Residential AV	\$13,600	\$13,600	\$13,600	\$265
Total AV	\$13,600	\$13,600	\$13,600	
Standard Homestead Deduction	-	-	-	2010 Est. Westfield Tax Bill
Mortgage Exemption (ME)	-	-	-	\$272
Net Residential AV	-	-	-	
Non-Residential AV	13,600	13,600	13,600	
Net Total AV	13,600	13,600	13,600	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	(50)			
Net TTV	13,600	13,600	13,600	
Actual Tax Bill for 2008 (rounded)	\$265			\$254
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$295	\$254	
Tax Bill with 2% Agricultural Cap 2010		\$272	\$272	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$272	\$254	\$18	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$265	\$272	\$7	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #15

Name of Speaker: Tim Fleck

Ordinance: 08-31 SW Area 1 (See Exhibit “B”)

Property of Concern: Southwest Area 1

Property Class: Other agricultural use

Parcel Number: 08 90 06 00 00 004.350

Address: 15733 Joliet Rd

Westfield, IN 46074

Summary of Concerns Voiced:

Wants to maintain rural lifestyle and doesn’t want the City surrounding his property.

Response:

1. The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: “This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance.” Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation on your property.

Speaker #15 Tax Analysis

Tax Analysis for:				
Fleck, Timothy J & Rebecca J 08 09 07 00 00 021.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$521,400	\$521,400	\$521,400	
Non-Residential AV	\$252,100	\$252,100	\$252,100	\$12,133
Total AV	\$773,500	\$773,500	\$773,500	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	\$12,143
Net Residential AV	476,400	473,400	473,400	
Non-Residential AV	252,100	252,100	252,100	
Net Total AV	725,500	725,500	725,500	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(165,690)	(165,690)	
2008 SPTRC and Homestead Credit	(4,692)			
Net TTV	725,500	559,810	559,810	\$10,435
Actual Tax Bill for 2008 (rounded)	\$12,133			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$12,143	\$10,435	
Tax Bill with 2% Agricultural Cap 2010		\$15,470	\$15,470	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$12,143	\$10,435	\$1,708	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$12,133	\$12,143	\$10	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #16

Name of Speaker: Mike Wilcox

Ordinance: 08-33 SW Area 3 (See Exhibit “B”)

Property of Concern: Property at 169th and Oak Ridge Road

Property Class: Ag - Vacant lot

Parcel Number: 08 09 01 00 00 022.000

Address: 0 169th St E

Westfield, IN 46074

Summary of Concerns Voiced:

Doesn't need or use city services and only sees the annexation as additional tax burden.

Response:

1. The City of Westfield agrees that the services provided by Hamilton County Government (snow removal, public safety (Sheriff), etc.) are adequate. However, in the financial interest of the efficient and effective delivery of governmental services, the City of Westfield feels it is in the best position to provide these basic services. Currently, the City provides the following services to township residents regardless of whether the property is annexed or not: Fire protection, planning, zoning, policing, and public safety dispatching services through mutual agreements with surrounding communities and agencies. Additionally, the City provides utility services to many parcels that often are not within the City limits.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation on your property.

Speaker #16 Property



Exhibit "B"

Aerial / Location Map



Subject Property

Speaker #16 Tax Analysis

Tax Analysis for:				
Wilcox, Michael 08 09 01 00 00 022.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$0	\$0	\$0	
Non-Residential AV	\$47,700	\$47,700	\$47,700	\$929
Total AV	\$47,700	\$47,700	\$47,700	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	-	-	-	
Mortgage Exemption (ME)	-	-	-	\$954
Net Residential AV	-	-	-	
Non-Residential AV	47,700	47,700	47,700	
Net Total AV	47,700	47,700	47,700	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	-	-	
2008 SPTRC and Homestead Credit	(177)			
Net TTV	47,700	47,700	47,700	
Actual Tax Bill for 2008 (rounded)	\$929			\$889
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$1,035	\$889	
Tax Bill with 2% Agricultural Cap 2010		\$954	\$954	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$954	\$889	\$65	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$929	\$954	\$25	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #18

Name of Speaker: Sharon Williams

Ordinance: 08-32 SW Area 2 (See Exhibit “B”)

Property of Concern: 807 East State Road 32

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 09 01 01 01 004.000

Address: 807 S R 32 E

Westfield, IN 46074

Summary of Concerns Voiced:

Doesn't want to be connected to City water or sewer. Likes well water and doesn't want City water.

Response:

1. Although Indiana law authorizes municipalities to require annexed parcels to connect to sewer, Westfield will not require such. The annexation ordinances have been amended to include “The City will not force the proposed annexed parcels to hook up to city water or sewer as a result of annexation”.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation on your property.

Speaker #18 Property



Exhibit "B"

Aerial / Location Map



Subject Property

Speaker #18 Tax Analysis

Tax Analysis for:				
Williams, James E & Sharon J 08 09 01 01 01 004.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$102,300	\$102,300	\$102,300	
Non-Residential AV	\$400	\$400	\$400	\$691
Total AV	\$102,700	\$102,700	\$102,700	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	-	-	-	\$641
Over 65 Exemption	(12,480)	(12,480)	(12,480)	
Net Residential AV	44,820	44,820	44,820	
Non-Residential AV	400	400	400	2010 Est. Washington Township Tax Bill
Net Total AV	45,220	45,220	45,220	
2010 Addl 35% Homestead ME on Res AV	N/A	(15,687)	(15,687)	
2008 SPTRC and Homestead Credit	(357)	N/A	N/A	
Net TTV	45,220	29,533	29,533	\$551
Actual Tax Bill for 2008 (rounded)	\$691			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$641	\$551	
Tax Bill with 1% Residential Cap 2010		\$1,027	\$1,027	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$641	\$551	\$90	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$691	\$641	-\$51	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #19

Name of Speaker: Tom Mullins

Ordinance: 08-31 SW Area 1 (See Exhibit "B")

Property of Concern: 17233 Joliet Road

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 09 06 00 00 018.001

Address: 17233 Joliet Rd

Westfield, IN 46074

Summary of Concerns Voiced:

Wants the City to be honest and educated why annexation is being contemplated. Wants to know what is in it for the citizens and what is in it for the government.

Response:

1. The areas being contemplated for annexation already enjoys many of the benefits of being within the City of Westfield. The annexation allows the City to collect a nominal amount above what is being collected currently and allows the City to collect some taxes that are currently being collected by other taxing authorities.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation on your property.

Speaker #19 Property

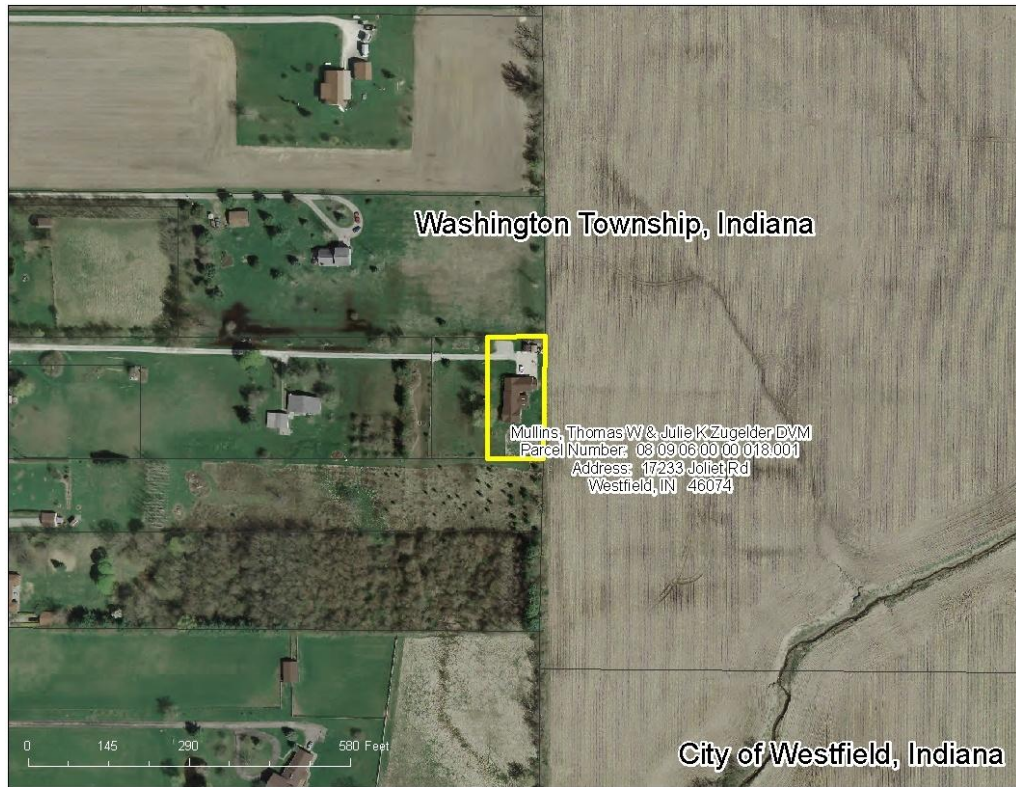
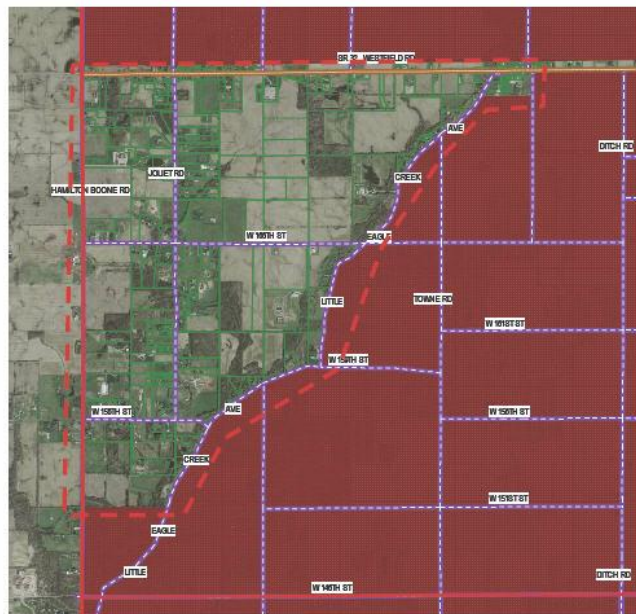


Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #19 Tax Analysis

Tax Analysis for:				
Mullins, Thomas W & Julie K Zugelder DVM 08 09 06 00 00 018.001				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$177,800	\$177,800	\$177,800	
Non-Residential AV	\$900	\$900	\$900	\$2,043
Total AV	\$178,700	\$178,700	\$178,700	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	-	-	-	
Net Residential AV	132,800	132,800	132,800	\$1,787
Non-Residential AV	900	900	900	
Net Total AV	133,700	133,700	133,700	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(46,480)	(46,480)	
2008 SPTC and Homestead Credit	(1,057)			
Net TTV	133,700	87,220	87,220	
Actual Tax Bill for 2008 (rounded)	\$2,043			\$1,626
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$1,892	\$1,626	
Tax Bill with 1% Residential Cap 2010		\$1,787	\$1,787	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$1,787	\$1,626	\$161	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$2,043	\$1,787	-\$256	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Speaker #20

Name of Speaker: Tom Lingle

Ordinance: 08-27 SE Area 10 (See Exhibit “B”)

Property of Concern: 169th and Gray Road

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 10 05 00 00 020.000

Address: 4540 169th St E

Noblesville, IN 46062

Summary of Concerns Voiced:

“Concerned about our parcel being; although we’ll still be labeled as an agricultural parcel, zoned agriculturally, it will be listed as a non-confirming agricultural parcel, and as it was explained to me, we are horse owners and if we decide, like we have four horses right now, and in the future we sell a horse or we give a horse to somebody or whatever, and we now have three horses, we can never have four horses again, even if we have the acreage and the means to take care of those animals, it doesn’t matter, once that is changed”.

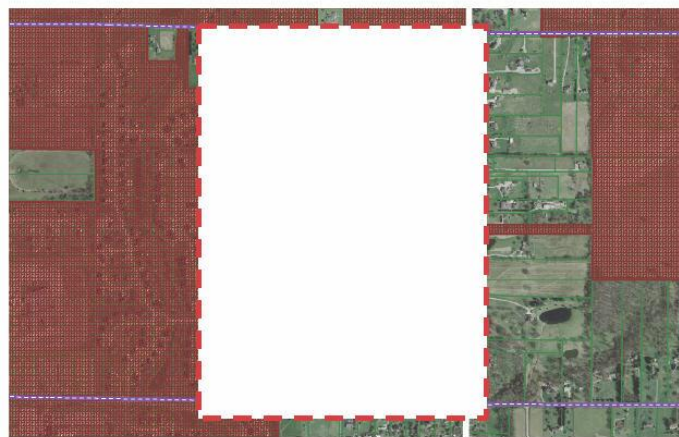
Response:

1. The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: “This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance.” Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.
2. It is the intent of this administration to maintain the current downward trend in property taxes. In an effort to show the potential tax impact or burden, please find attached comparative tax analysis that shows the estimated difference between township and city taxes as a result of annexation on your property.

Speaker #20 Property



Exhibit "B"
Aerial / Location Map



Subject Property

Speaker #20 Tax Analysis

Tax Analysis for:			
Lingle, Bonnie J Angell & Thomas Lingle 08 10 05 00 00 020.000			
	Washington Township	Westfield	Washington Township
Year Payment is Due	2008	2010	2010
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86
Residential AV	\$145,900	\$145,900	\$145,900
Non-Residential AV	\$3,000	\$3,000	\$3,000
Total AV	\$148,900	\$148,900	\$148,900
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)
Net Residential AV	97,900	97,900	97,900
Non-Residential AV	3,000	3,000	3,000
Net Total AV	100,900	100,900	100,900
2010 Addl 35% Homestead ME on Res AV	N/A	(34,265)	(34,265)
2008 SPTRC and Homestead Credit	(788)		
Net TTV	100,900	66,635	66,635
Actual Tax Bill for 2008 (rounded)	\$1,552		
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$1,445	\$1,242
Tax Bill with 1% Residential Cap 2010		\$1,489	\$1,489
Tax Bills for 2010: Difference between Westfield and Washington Township	\$1,445	\$1,242	\$203
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$1,552	\$1,445	-\$63
Box 1			
Adjusted Tax Rate Calculation			
	Westfield and Washington Township	Westfield	Washington Township
Rate Components	2008 Actual	2010 Estimated	2010 Estimated
State Rates	0.0024	0.0029	0.0029
Welfare Rates	0.0096	0.0115	0.0115
County Rates	0.2035	0.2544	0.2544
Solid Waste	0.0023	0.0028	0.0028
Township Rates Westfield	0.0072	0.0090	
Township Rates Washington Twp	0.1874		0.2343
Library Rates	0.0340	0.0408	0.0408
School Rates	1.8799	2.1619	2.1619
Corporate Rates	0.3700	0.5200	0.0000
Total Rate		3.0032	2.7085
Subtracted from Total Rate 2010			
State Rates	Not Applicable in 2008	0.0029	0.0029
Welfare Rates		0.0115	0.0115
School General		0.8204	0.8204
Preschool Special Education		0.0022	0.0022
Total Subtractions		0.8341	0.8341
Adjusted Tax Rate	N/A	2.17	1.87

Speaker #21

Name of Speaker: Linda Naas

Ordinance: None

Property of Concern: Proposed Areas to be Annexed

Summary of Concerns Voiced:

And what was allowed in our annexation written as part of our annexation allows us to maintain our agricultural rights so that we can perform and conduct our business and live our lives as rural agricultural people. They have animals; they have fields; they have tractors; they have burning to do; I've heard that so many times and that's a reality

If you were to give them the tax abatements for AG zonings and agricultural purposes as listed in the Indiana Code, there wouldn't be much incentive for you to go after that land other than to increase the AV overall which would affect your COIT so if that's the reason, explain to these people why you want them in the City and if that's the advantage you want, you can have that advantage and still give them their lifestyle, their rights to live as they have been living

Response:

1. The annexation will not result in any change in zoning. The following language has been added to the annexation ordinances: "This ordinance shall not be imposed as to restrict current land uses in any way nor change the activities currently allowed under the zoning ordinance." Use of the property will continue to be based on the Westfield-Washington Comprehensive Zoning Ordinance as administered throughout the Township since 1977 by way of an agreement between the City and the Township. This process will not change with annexation. What will change is the level of your representation in the process. Currently, your only representation in the process is two out of nine members of the Advisory Plan Commission. These members are appointed by the Township government. After annexation, you will be represented by seven out of nine members of the APC as well as by your City Council district representative and by the two At-Large City Councilors.
2. There are fiscal realities that are a result of any annexation. The City is always interested in providing basic services at a high quality level at a reasonable cost. Annexation in this case provides for a more equitable level of service across the entire community in which everyone shares equally in the services provided and utilized. Although annexation will likely result in a higher COIT distribution to the City, it would be a relatively small figure as the number of residents being annexed is fairly small. Accordingly, COIT is not a significant rationale for this proposed annexation.

Present but Did Not Wish To Speak (A)

Name of Speaker: Jay Park

Ordinance: 08-33 SW Area 3 (See Exhibit "B")

Property of Concern:

Property Class: Res-1-Family 0 - 9.99 acres

Parcel Number: 08 10 18 00 00 006.000

Address: 15525 Oak RD

Carmel , IN 46032



Exhibit "B"

Aerial / Location Map



Subject Property

Present but did not wish to speak (A)
Tax Analysis

Tax Analysis for:				
Park, Jay L & Teresa K 08 10 18 00 00 006.000				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008 Washington Township Tax Bill
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	
Residential AV	\$160,700	\$160,700	\$160,700	
Non-Residential AV	\$35,800	\$35,800	\$35,800	\$2,417
Total AV	\$196,500	\$196,500	\$196,500	2010 Est. Westfield Tax Bill
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	\$1,965
Net Residential AV	112,700	112,700	112,700	
Non-Residential AV	35,800	35,800	35,800	
Net Total AV	148,500	148,500	148,500	2010 Est. Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(39,445)	(39,445)	
2008 SPTRC and Homestead Credit	(1,027)			
Net TTV	148,500	109,055	109,055	\$1,965
Actual Tax Bill for 2008 (rounded)	\$2,417			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$2,366	\$2,033	
Tax Bill with 1% Residential Cap 2010		\$1,965	\$1,965	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$1,965	\$1,965	\$0	
Decline in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$2,417	\$1,965	-\$452	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

Present but Did Not Wish To Speak (B)

Name of Speaker: Rob Paugh

Ordinance: 08-31 SW Area 1 (See Exhibit “B”)

Property of Concern:

Property Class: Res-1-Family 0 - 9.99 acres

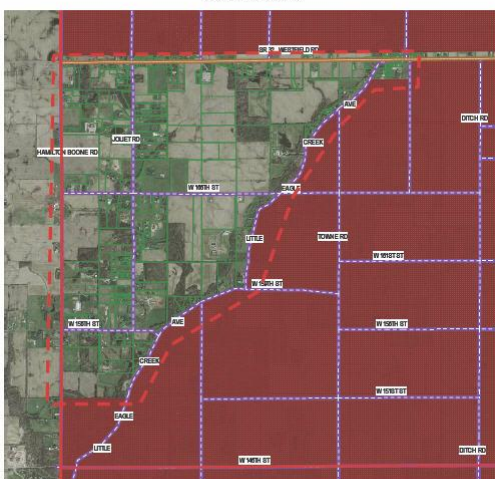
Parcel Number: 08 09 07 00 00 012.001

Address: 16405 Joliet Rd

WESTFIELD , IN 46074



Exhibit "B"
Aerial / Location Map



 Subject Property

Present but did not wish to speak (B)
Tax Analysis

Tax Analysis for:				
Paugh, Robert C & Christine J 08 09 07 00 00 012.001				
	Washington Township	Westfield	Washington Township	
Year Payment is Due	2008	2010	2010	2008
Adjusted Tax Rate (See Box 1 below)	2.32	2.17	1.86	Washington Township Tax Bill
Residential AV	\$427,200	\$427,200	\$427,200	
Non-Residential AV	\$23,200	\$23,200	\$23,200	\$6,129
Total AV	\$450,400	\$450,400	\$450,400	2010 Est.
Standard Homestead Deduction	(45,000)	(45,000)	(45,000)	Westfield Tax Bill
Mortgage Exemption (ME)	(3,000)	(3,000)	(3,000)	
Geothermal Exemption	(7,040)	(7,040)	(7,040)	\$4,504
Net Residential AV	372,160	372,160	372,160	
Non-Residential AV	23,200	23,200	23,200	2010 Est.
Net Total AV	395,360	395,360	395,360	Washington Township Tax Bill
2010 Addl 35% Homestead ME on Res AV	N/A	(130,256)	(130,256)	
2008 SPTRC and Homestead Credit	(3,040)	N/A	N/A	
Net TTV	395,360	265,104	265,104	\$4,504
Actual Tax Bill for 2008 (rounded)	\$6,129			
Estimated Annual Tax Bill for 2010 (if lower than cap)		\$5,750	\$4,942	
Tax Bill with 1% Residential Cap 2010		\$4,504	\$4,504	
Tax Bills for 2010: Difference between Westfield and Washington Township	\$4,504	\$4,504	\$0	
Difference in Tax Bills: From 2008 Washington Township to 2010 Westfield	\$6,129	\$4,504	-\$1,625	
Box 1				
Adjusted Tax Rate Calculation				
	Westfield and Washington Township	Westfield	Washington Township	
Rate Components	2008 Actual	2010 Estimated	2010 Estimated	
State Rates	0.0024	0.0029	0.0029	
Welfare Rates	0.0096	0.0115	0.0115	
County Rates	0.2035	0.2544	0.2544	
Solid Waste	0.0023	0.0028	0.0028	
Township Rates Westfield	0.0072	0.0090		
Township Rates Washington Twp	0.1874		0.2343	
Library Rates	0.0340	0.0408	0.0408	
School Rates	1.8799	2.1619	2.1619	
Corporate Rates	0.3700	0.5200	0.0000	
Total Rate		3.0032	2.7085	
Subtracted from Total Rate 2010				
State Rates	Not Applicable in 2008	0.0029	0.0029	
Welfare Rates		0.0115	0.0115	
School General		0.8204	0.8204	
Preschool Special Education		0.0022	0.0022	
Total Subtractions		0.8341	0.8341	
Adjusted Tax Rate	N/A	2.17	1.87	

APPENDIX A. INVOLUNTARY ANNEXATION PUBLIC HEARING TRANSCRIPT 8/25/08

Public Hearing Opened at 8:15 p.m. on Resolutions 08-16 through 08-34; Ordinances 08-35 through 08-53.

Northeast Area 1

None

Northeast Area 2

None

Southeast Area 1

Tim Clark: My mother owns property between the veterinarian clinic and BAM; not sure if this is this area or not; but, thank you, just a point of clarification; we were told you didn't want to change any of the classifications of the areas, and on the second paragraph of the Westfield City Council it does say, the last sentence "respectively to allow for the existing land uses to continue;" I think it should probably say existing land use classifications. Our land is currently being used agriculturally but it's in the LB district and we don't want it to change. So I would ask that you change that to be "land use classifications" instead of "land use" at the present time. Just want to make sure we are not changing any classifications at all.

Changed the procedure to not calling out by area. City Council President Kingshill just called the names on the cards and asked the speakers to state what area they are in.

Robert Whitmoyer: My name is Bob Whitmoyer; I live at 3510 Westfield Road, which is SR 32. I'm part of the rural area called SE-3 which consists of five houses, a real estate office, and five farm fields. It's located mainly along SR 32. Our legal notice shows fourteen parcels involved of which 86% are imposed, are opposed to this involuntary annexation. I've already given all the Council members a summary of the reasons, but it comes down to the simple fact that the City can absolutely do nothing, zilch, for the citizens in that SE-3. This fact is reinforced by your own Ordinance 8-20 and Resolution 8-38; in this you state only two new services could be provided, and both of these, the police and road maintenance, are now supplied by the county and state agencies. We have county sheriff cars going by there all the time and Indiana state police cars going by there all the time. I'm sure you don't want to duplicate any more duplication out there in the interest of efficiency. Now some say we should pick up voting as a benefit; however this would only affect five of fourteen parcels. Some of the owners live in the township but are out of the annexation zone so they can't vote. For me I have complete confidence in the people in the City of Westfield that they will elect an intelligent Mayor and they will elect intelligent City Council members. And I think all of you will agree with that, wouldn't you? Now, let's look at your documented philosophy. I'm going to review three statements that are factual and have a direct impact on what I'm talking about tonight. From the Vision statement of the Council itself, I quote, "We promise a new vision in which the entire community can trust its government; we promise your voice will be heard, your opinion counted, and your concerns addressed. Next from a Channel 13 report on January 16, relating to a Senate Bill 114, which deals with involuntary annexation. I quote, "From the

Mayor of Westfield, Andy Cook, to Hamilton County Commissioner Steve Dillinger “there is a high level of support for the bill which requires Indiana cities and towns to get 100% agreement from homeowners to annex. Next, from the City’s own annexation philosophy and plan; this is your own plan and vision. It reads, “First seek; first, seek the voluntary annexations of new development contiguous to current city boundaries.” The preference of the City of Westfield to implement annexation action under the most amicable conditions possible. Therefore in cases where it is practical and possible to achieve consensus, the city prefers to proceed with annexation under the voluntary provisions of Statute IC 36.4-3-5. Now I believe in your integrity of these statements; I think you were sincere when you made them. So how did we get from these beliefs to here with 19 involuntary annexation public hearing tonight? The questions are this; is our intelligent and experienced staff aware of this philosophy; are they being overly aggressive; is the tail starting to wag the dog; who is in charge? Only you can answer those questions. Another need I see as far as considering annexation, the mind set in the City of Westfield right now as far as city government. In a recent meeting in the City I was asked this question, “Why don’t you want to become a part of Westfield?” My friends, I’ve been a part of Westfield for 81 years and to be asked that question, it hurts. Because I’m not critical of the person who asked it because I’ve got a lot of respect for them, but I think the mindset is that there is more to Westfield than the City of Westfield. Westfield is a community of people dedicated to a purpose to have a moral and nice life; a comfortable life. We’re the churches; we’re the schools; we’re the farms, we’re the cornfields, horse farms, shopping malls, corner drug store, pick your own berry farm, that’s what Westfield is. So I ask this question when they asked me do I want to become part of Westfield, I ask you, do you want to become a part of the Westfield community; because that’s what’s at stake here. Another mindset that I’ve heard that bothers me is “we need to be better than Carmel; we want to get better than Carmel.” Well heck; we’re better than Carmel right now. Let’s get that out of our mindset; let’s just take care of Westfield; we don’t need to worry at all about Carmel. Now let me assure you that a lot of good people out here are willing to use their energies to help Westfield move on to even a better and greater era. But I’ll tell you when you start pushing people around with unnecessary power, those results will be minimal. Human nature is human nature, and when you start bullying people with power that you have, you’ll be surprised how low the results will start getting. And above all, don’t give us a lot of spin when you’re trying to do a project. That spin doesn’t go; it insults the intelligence of people. The idea that you can take us into a City and lower our tax rate, it’s unbelievable that you would say that. Now I know you tie it, you tie it to a legislative action, which has nothing to do with annexation. In other words, what I’m saying is if you take us in the City, we may have a lower tax rate, but it won’t be because you annexed us; it will be because of what the Legislature did. And just remember this, He that giveth can also take it away. And you know what the Indiana State Legislature can do. They’re down there right now fooling around with property taxes again. I’m just about done. Okay, on August 18 in a meeting with the City we discussed what it would take for voluntary annexation into the city. We left a document that addressed our concerns and added some additional points by a later email. We were told that these concerns would be reviewed and someone would contact us. We have had no contact on Ordinance 8-20 and Resolution 8-38; they do not address any of these concerns. These concerns involve mainly taxes and our rights to continue farming and living our life as we now know it; raising livestock and other rural activities that we now do. Gentleman and ladies you just cannot farm on a book of ordinances that thick; and you have to realize that. Farming is our life; that’s a rural area. You may not believe it, but that’s a rural area out there. So just in closing, let me just say this; our area is the very eastern gateway to Westfield; we live right on the Noblesville Township Westfield border. Some day I foresee, or we foresee, us sitting down with City planners to make sure the Gateway reflects a proud and appropriate picture for our community. And I mean that, let’s be patient and let nature takes it course; don’t spoil this opportunity with some hurried and unneeded power plays. Thank you for my opportunity to speak.

Robert Benson: Members of the City Council, my name is Robert Benson, and I reside at 3839 East 169th Street. This property is in the southeast area #6 being considered for involuntary annexation under Ordinance 08-23 and Resolution 08-42. It's also a residence that's been used as a marketing tool for various real estate agents from the Brookside subdivision so that my place is called a pastoral scene so I'm sure it's used for a marketing purpose without my knowledge. A document was sent to the Community Development Department, dated August 12; I understand that you have a copy of it. If not, I do have copies. The document, I believe, made it perfectly clear that I am in opposition to this involuntary annexation. In addition to the comments in the August 12, 08 document, I want to make some additional points. I repeat I oppose the ordinance and resolution as written and as presented. I am aware that in IC 36-4-3-3a and in IC 36-4-3-4a this legislative body may, and I repeat, may, by ordinance annex my parcel. I don't believe that it says anywhere that you must, or that you shall, or that it is required to annex. The law appears to me to give the body latitude in judgment in this particular situation. Two, the services that I now receive, whether it's fire, police, or whatever, meet my expectations. And they have been done so in an efficient and satisfactory manner. Indiana Code also indicates that to me annexation, would not, and I repeat, would not, enhance my services. Further, street maintenance has been talked about. Back a few years ago, 169th Street was taken over by the City. Up until that time, or the Town at that particular point in time, up until that time the County took care of it, but the Town made an agreement with the County to take care of 169th Street. So basically I'm being taken care of by the County, but you made that decision to take it over. Number three, since I own the entire parcel, there is no way that 65% of the land owners can ask for annexation. Number four, I am retired and I'm on a fixed income; an involuntary annexation will have a financial impact on me personally due to the increased taxes that's going to occur. This is based on figures that I've received from various sources, and I believe them to be fact that it will happen. The Code also states this should not take place if it does have a financial impact on the owner and it will have. Number five, Indiana Code states if annexation is not in the best interest of the property owner, it is not in my best interest, it should not be annexed. I mean there's some part here I don't understand, and I hope someone can help me understand that. I am opposed to the annexation; I would ask you to turn it down, but I know the mindset; the mindset is we're going to move on, and so if you choose to proceed to annex this parcel into the City of Westfield, I am requesting the Ordinance 08-23 be amended to include the following: 1. Total property tax on the parcel in question be frozen at the 2007 level through the tax year 2018. There's precedent to be set that in the law because it says that ten years that can be done; that dollar amount is \$4,080. Number two, fees be waived for water and sewer hook up. I am very much aware that in the resolution that I do not have to hook up to sewer and water, but under certain circumstances, just want it made clear I want the fee waived. Thirdly, I know what the resolution says that land use classification will stay the same. I repeat I want the land use remaining conforming AG-SF-3 for the property in question. Again, I'm aware of the provision, but I want it made a part of the record, because someplace down the line, I've heard rumors about animal ordinances being put in place in the City of Westfield, and since I have animals, I want to make sure that that has taken place. I sincerely hope you will honor these requests if you choose to annex 3839 East 169th, which I hope you don't; I trust you won't. However, I believe I have provided reasonable justification why involuntary annexation is not the course of action for the body to follow. Thank you for your time and allowing me to present my views.

Councilor Bob Smith asked Benson if these requests were granted, would he agree to voluntary annexation. Benson stated he would have to think about it, but it would be strongly yes, but not 100%.

Cynthia Estes: My name is Cynthia Estes. I live at 16226 North Gray Road. My property is one of the ones for involuntary annexation. My husband and I have remained neutral in this situation, and, but I'm relatively new to the process of city government and as I sat through the proceedings tonight, I really decided to make a stand. Thirteen years ago I moved to this property because I did not want entanglements of City Government. We have resided at our property; we have been very happy. When I sat through the proceedings, City Government would, I would have to have water; I'd have to pay for water; I'd have to pay for sewers; my trash is \$60 every three months; I'd have to, so costs to me would encumber me; I'm a retired school teacher; and I'm on a fixed income and the costs of having the City annex my property would create more expenses for me. I believe, I believe Melody said earlier that the Council wants to do what's best for the people. Well I see that the City of Westfield does not offer me anything that I choose or what I would desire, so the best thing for the Council to do would to vote against the involuntary annexation of the parcel that my property is in.

Kim Patton: Hi. My name is Kim Patton, and I represent the Woodshire Homeowners Association and myself. We are in the southeast corner; I think its section 10. Today we filed an opposition; we had 21 of the 28 lots and homes there, which is 75%, basically opposing the annexation. Our primary concerns is that the notice that was presented to us in Certified Mail lacked information important to us. Most of our homes have been built in the last five to seven years, and we have spent thousands of dollars installing septic systems and wells. Our concern is if we should be annexed would we be required to hook up to city water and sewer; would we be required to, should the trash be approved, would we be required to do that. Currently we already receive snow plowing services, fire and police protection. With the annexation, we'd incur additional taxes, and currently we are one of the highest tax brackets in the City of Westfield. And those are our concerns; primarily is the sewer and the water with the thousands of dollars we've just recently invested.

Mike Zeller: 4321 West 166th Street. I sent a letter to the Council members last week, and the Mayor was kind enough to call me back and answer some of my questions. I guess as I sat here this evening, I live in the southwest area one, and as I read all about this thing, operation Swiss cheese it was referred to, it's meant to maybe capture some areas that are totally surrounded by city infrastructure. I understand now better that every area has its own little issues. My comment would be that the southwest area is extremely rural right now; that seems inconsistent with me to the whole designation of a city, and at the very least it's a whole different business case out there that I haven't heard yet, what is the justification to capture that entire large area along with all these much smaller parcels. So my request would be separate the two and consider the southwest area 1 as a very large area with very different business drivers potentially from that of the rest of the smaller parcels.

Jen Smith: I'll fill out my card afterwards, but I live in the same southwest quadrant that Mr. Zeller was referring to so I thought it might be a good time to go ahead and do my portion. I wanted to start out by saying I tried to do some research on this today in really good preparation since we got that notification in June, but one of the things that I came across was a quote by State Senator Jim Buck, who as you all know has replaced Jeff Drozda, and is our representative in this area. His quote in the Kokomo Tribune on July 30, 2008, was, "The primary purpose of annexation is to accommodate growth, but it has gotten to the point where it's being done not to accommodate growth but to accommodate debt." And there is a portion of my sense and feeling that that is the reason behind the annexation today rather than simply accommodating debt. I looked at a report that was generated in 1998 that was

done for, it was an extensive study, 108 page report about annexation issues that many of the state senators and stuff have referenced in determining what they wanted to do about some of the laws that have been put forth for them. At the time in 1998, there were 21 states in the country that continued to permit involuntary annexation; at this point in 2008 Indiana is one of only six states that continues to permit involuntary annexation. As the bill that was referenced earlier that made it through the Senate but didn't make it through the House, I'm sure that you guys are aware that this is going to continue to come up in Indiana. Westfield has been trying to take a very progressive look, and I think in a matter of years the State will probably have something in place that is going to prevent involuntary annexation and this seems inconsistent with the progressive nature that Westfield has been trying to take to force an annexation on people that really don't want it right now when that law will probably be changing in the very near future. There were a couple of technical issues that I had related to this. In the southwest quadrant, as Mr. Zeller referred, it is really very rural and I looked at the criteria that was written up in the ordinance, and this really, I'm trying to understand it and according to the documentation, there are two conditions that have to be established to insure that the land sought for annexation is urban in character. And your own plans indicate that the criteria is not met and I'm left wondering why that particular area is being pursued for annexation. The criteria, as you well know, because I know that you've read the document is that it has to be one-eighth contiguous, the density of the territory is at least three persons per acre, 60% of the territory has to be subdivided, or the territory is zoned commercial/industrial or business. In this first condition, the contiguity requirement is met, but your own requirements say that our density has 1.6 people per acre which is far less. The land is not subdivided nor is it zoned predominately commercial/industrial or business. According to your own documentation, it's about 10% zoned business and the rest is all rural. The second condition in criteria is that the territory could be contiguous except at least $\frac{1}{4}$ rather than $\frac{1}{8}$ of the boundary must coincide with municipal boundaries. The land is needed and can be used by the municipality for its development in the reasonable near future. Again, the contiguity requirement is met, but it does not meet the plans for development in this area. Particularly, and I know I worked with a number of you on our recent master comprehensive plan; it calls for this area to remain rural with the density of one house per three acres. However, there is a small strip of that commercial/industrial again about 10% right along SR 32, and that's about 10% of the total acreage. So, if the majority of this area is rural and the master plan calls for it to stay rural in character, it causes me to ask the question do you intend to follow the comprehensive master plan and retain this in rural character, and if you do, then we're really not meeting the criteria for this section, the green section on the map of the southwest quadrant. I would suggest that an alternative to that might be to annex a strip similar that you did along SR 32 to the north side would be to annex the commercial and industrial zoned area on the strip to the south side of SR 32, which is much narrower rather than the entire, entire area. The second one is potentially a sore topic, but it has to be raised, and that's the inconsistency of tax abatement practices. When the last major annexation in the southwest part of the township occurred, City or Town, I'm not sure what we were at that point in time, government officials offered both tax exemptions to anyone who was zoned AG SF-1 and tax abatements to all others. There were 3,312 parcels that were annexed with an assessed value of just over \$625,000,000. Those were people who asked to be annexed by Westfield and who wanted to escape the threat of annexation by Carmel. They're my friends and my neighbors, and I believe that they are largely satisfied with the services that they have been receiving as part of the Town of Westfield. However, those abatements translate into just for example in this year alone, in 2008, they are receiving a 75% abatement on their assessed valuation which means that they're not paying taxes on \$469,000,170. I can imagine the City may be feeling the impact of providing services and not collecting the approximately \$1.8 million in taxes this year on that sort of assessed valuation. And that may be hurting the City potentially right now or at least we're not sitting as cash flush as potentially we could, but if the fiscal plans were as submitted as part of that annexation were incorrect, it's difficult to get a sense that the fiscal plans that are being presented now to have some confidence in that fiscal planning process that allowed this same sort of abatement

process previously. And if the fiscal planning process was sound for the previous planning process that allowed those exemptions and those abatements, then I have to ask why aren't those same exemptions and abatements being offered to the rest of us who are being annexed now. Either way, it's inconsistent to grant permanent tax exemption status to a farm that's on one side of Little Eagle Creek Avenue and tax the farm that's on the other side of Little Eagle Creek Avenue. It's inconsistent to allow a resident of Village Farms to pay taxes on 75% of their assessed value in 2010 while a newly annexed resident on Joliet Road will be paying 100% assessed valuation. I think we have to have some consistency parity and equity in that situation. The second thing that are really just personal things that I've heard some other people allude to. My family lives on ten acres in the southwest quadrant; we have animals; we have a hayfield; we live a rural lifestyle even though it's a very small mini farm and nothing to the magnitude of what many of our really great farmers in this area do. But there are two things in my life right now that this would have a bearing on, and it would give me a greater degree of comfort if I saw these things being more specifically addressed in the ordinance. One is with my neighbor's help, and admittedly it's mostly my neighbor's sweat equity and not mine, we're tearing out an old fence row border that was overgrown with mulberries, honeysuckle, grape vine and a lot of stuff that you wouldn't want. Over the years it's encroached up to 30 feet inside my property boundary cutting into my hay field and what I can take to feed my ponies. It's maybe 300 feet in length, 30 feet deep; it's a lot of brush, a lot of wood, it's a lot of burning and fire. I need to make sure that the practices like burning that brush or after we have the ice storm and I have a football field of tree limbs that are falling down that I'll still have the right to be able to burn and do other practices like that and if I saw that more specifically addressed, it would give me a greater degree of comfort. Second, I got the bad news that nobody here ever wants to get, about two weeks ago that my septic system is failing; it is not good news. We're taking soil samples; we're working with the health department to find a new location and taking bids. Right now, I have estimates telling me it will be from \$15,000 to 20,000 to replace my septic system. It's not something we planned for; it's going to be a financial hardship for my family. We're sacrificing other plans in order to be done; to tell you the truth if I could get access to the sewer that is right around the corner from me, I would probably do it in a heartbeat. However, what I can't afford to do is to pay my \$15,000 to \$20,000 today for my new septic system and turn around in three to five years and be required to not only pay the hook up fees but the price that it would cost to run those lines to my house. And that is approximately what it would cost. It would cause my family to have to take on additional debt or decide which of my two kids don't get to go to college that year. I feel like the ordinance should not be passed until it's rewritten with wording that addresses those two issues on a personal level. On the other level, I feel like it's partially a timing thing. I think you have to have equity; you can't have abatements and exemptions for one set of people and then not allow it for another people. Thank you.

Mark Werner: Hi, I'm Mark Werner at 3925 West 166th Street. I'm also in the same region, southwest area 1 that was just talked about. I'm not near as intelligent or prepared as the folks that have already voiced some of their concerns about the "involuntary annexation." The gentleman that went first had a lot of excellent commentary, and Jenn you hit some great technical notes based on some of the laws in place and circumstances in our area. What I'd like to say further is clearly that particular section of ground was, as Janet indicated, in the Comprehensive Plan segmented because of the type of people that are there, the type of people that want to be there. Part of a separation however, contiguous to the fact that Westfield is a community, as was stated earlier, that has a vast variety of people and not just one section of a city that's constant suburb after suburb or suburban development after suburban development. We like that lifestyle; we need to keep that lifestyle and it will help ultimately I believe will help Westfield grow to bring people who don't want to live in that suburban however, close to a clean comfortable society to bring those people to those when those houses go up for sale, when they are looking for special ground and those

special people that are looking for special ground; I think that it's very important. I can also tack on to the septic and well commentary both fiscally and the fact that we're comfortable with those particular circumstances to date. I also can tack on the fact that we would like our horse situation as we are horse owners to stay as it stands. The amount of pets that we have when it comes to our cats, our dogs, and our birds, inclusive to the horses, that those particular items will never be, and I say never obviously loosely, will never be affected if in fact a different city council is up here or a different mayor is in place. As those people change, some of the things that might occur today, they might not look at it the same and we'd like it to stay the same today so that it's not affected in the future; that we have a voice in the future as things change here in Westfield. I'm very excited to be a City, or at least near the City of Westfield as it stands as well and I guess that's what I'd like to say.

Kathie Collins: Hi, I'm Kathie Collins, and I represent myself and Jeff Walker at Jeff's Jam-It-In Storage on SR 32, 4185 Westfield Road, which is SE area 2. We're opposed to this; we ask that we are not considered as annexation. There's nothing that Westfield does for us nor do we want their services. We're happy with the services that are provided to us through the Hamilton County Sheriff's Department and the Highway Department. We can't afford extra taxes; we're already over taxed with property taxes and that would cause a great hardship on us so we're definitely opposed to it. We are 50% of our section. Thank you.

Jenny Burger: Good evening, my name is Jenny Burger and I am also in the SW #1; I own two residential parcels in that area as well as I'm the owner of the Palomino Ballroom, which is one of the five commercial parcels in that area. And I just wanted to first say that I'm also obviously worried about property taxes being commercial and the way the economy is right now, that the tax situation is a big concern not to mention the fact that if we are annexed into the City limits, then I am going to have to increase my sales tax that I charge my clients by an additional percent. Being a banquet facility we rent out rooms quite far in advance and just in April I had to go to all of my clients and let them know that I needed to collect an additional percent for the State, and if you annex me I'm going to have to go back to those same clients and now tell them that I need another percent because we take deposits way in advance to reserve our rooms. So that's never any good when you are talking with a client that you want more money from. We also have a horse facility on our property, and I want to make certain some of the restrictions that go with being in the City as burning and shooting of fire arms, things like that. Those are all concerns for us because although we are commercial, we are also very agricultural in nature and our banquet facility reflects that in some ways. We live there so on the same contiguous piece of property, and we like the rural setting. We feel as though we've done a lot to fit in with our neighbors and to not conflict with their way of life, lighting standards, things like that. I am also concerned about water and sewer; we have lived, we built homes there within the past three to five years and have put a great deal of money into that as well as we have a mound system for the ball room itself and we sit way back off the road about 1300 feet so you can imagine what the cost would be if we had to hook up. I can't help but think that with Hamilton County owning the airport that there might be some kind of that might have something to do with the fact that you want to include this parcel or all of these parcels. We know that the airport is something that is very important to Hamilton County and that you want that to be a really good gateway to the County as well as Westfield and you want to be able to control that, and I feel that maybe I agree with somebody else that maybe annexing a small strip along 32 would maybe be better suited than annexing all of the rest of these agricultural farms that sit further back off of 32. Thank you for hearing me.

Brian Beck: I'm Brian Beck. I live in the same area out on 1544 Little Eagle Creek Avenue. I just got a couple of comments. I've asked if you do annex, when you expect to have the sewer; I don't know what a timely manner; it is not a good enough answer. A lot of people are concerned with wondering if they have to hook up; they don't. Having farm animals, there's one problem, when you have animals getting into your livestock, you don't have time to call the police and get out there and shoot the animal that's tearing your livestock up. The police don't have, they're just not there fast enough, so once you annex me, I'm not allowed to shoot guns so are you going to have animal control on a fast responsive time. I also sent a letter in; I hope you read it. That's all I got to say.

Dennis Theurer: My name's Dennis Theurer. I'm in 16200 Carey Road which is SE area #5, and I basically have the same concerns as the previous speakers. I live on ? farm a which is about 20 acres. We do have six acres fenced in; we've had horses in the past and may again in the future. Concerned with the increase in taxes also the burning cause we do have materials we have to burn, and again it has been stated before we are satisfied with the services we are getting from the County, and we don't think anything additional from the City would be any benefit to us. And again, I'm concerned also, we set 400 feet off the road and if I had to hook into city water and sewer, it would cost thousands of dollars and I'm against that also. Thank you.

Pat Brown: My name is Pat Brown; I live at 17160 North Gray Road. I live right around the corner from Mr. Whitmoyer and most all the things that he voiced are same feelings I have and we owned 80 acres on Gray Road there at one time. My husband farmed; he passed away last August and about 2002 we sold 75 of the acres and we built a new house on the five acres that we kept and we have the older farmhouse there yet and our barns and all our farm equipment. My son still has a farm operation that he operates out of there. And at the time that we built, my husband was opposed to annexation and being put in the city and we also wanted to keep, we had sewer and water, not sewer and water, but well and septic we had at the old house and we planned to use that at the new house also. But the City refused to give us a building permit if we did not put in city water and sewer then. And they also required that we put it in the old house either than or tear it down. So we were forced to put in city water and sewer so I have it and I have like Mr. Whitmoyer said the police protection the Sheriff's Department; I have snow removal form the County Highway and I just can't see where I would benefit from this and it just would put further expenses on me and I'm disabled, not able to work, so I just am here to support my husband's wishes also. He did not want this and I'm here to support that. Thank you.

David Whitmoyer: I'm David Whitmoyer, and I'm in SA area 3; I own, the address is 0 Gray Road; I actually live in Lapel, IN, but that's a family farm that's been in our family for a number of years. My dad just spoke; I just want to let you know I'm here; I'm opposed to this; I ask that you respect the wishes of our group. We've put a letter before you with our concerns and we just ask that the Council respect that. Thank you.

Tim Fleck: My name is Tim Fleck, and I live in that Southwest area 1. I am a veterinarian; I run the Noblesville Veterinarian Clinic so I'm kind of a traitor. But having lived in Noblesville for fifty plus years and have run that for the last 32, I have seen this all the way across the country. I started as a large animal practitioner. I don't believe I've treated a cow this year. I have treated a few hogs and some sheep and goats so you can see what has happened to the rural environment and that. I think that that's spoken to very well here tonight with the Whitmoyses and Browns.

They sold property or property and city moved in around them; now it's very difficult for them to continue any sort of rural lifestyle that they want to continue. I am strongly opposed to the annexation of Southwest area 1. We moved there seven years ago because we wanted to go someplace where we could have our horses and develop a little bit of a farm, and I think we've done it and done it fairly well. So I don't want to see the city really move in around me. Thank you.

Mike Wilcox: My name's Mike Wilcox; I own property at 169th Street and Oak Ridge Road. At the present time it's zoned agricultural; there's no dwellings; no development on that; it's simply farm land. And it will develop, I'm sure inevitably in the future, and at that point I would expect to be annexed into the City. However, during the present time and until that happens, there's no benefit for me other than higher taxes is all I would expect to look forward to. I don't need fire protection, police, trash pickup, snow removal, none of that benefits me and so I would like to request that not be annexed at this time.

Tim Clark: Tim Clark; 23821 Hobbs Road, Noblesville, Indiana. As I said before, my mother's farm property is between the veterinarian clinic and BAM Outdoor Equipment on 32. There's no real advantage being part of the City. The land is used only for crops unless during that small window of opportunity when crops ripen, the field caught on fire, we wouldn't have any use for fire protection or anything. We have all of our drainage from the County; we have police protection from the highway. I am on the Board of Zoning Appeals for the north part of Hamilton County. I remember the first seminar I went to; I don't envy you people any for being on the Board. I remember they told us, I'd only been on a few weeks, and they said remember the people distrust and dislike their government and now you are the government. So having said that, there's also, the other thing that stands out in my mind most from that meeting, they said when you do certain things, there will be repercussions whether you realize they're going to happen or not. They said one of them is if you put in a sewer line, development will immediately follow whether you intend for it to or not. They said if you want to develop an area out in the country and you run a sewer line from town out into the country, everything along the sewer line will develop along within the next few years because they have city utilities. That's something a lot of people aren't going to expect how fast it will be developed. Thank you for your time.

Sharon Williams: I live at 807 East SR 32; I live about; my name is Sharon Williams and I live about half a mile less than that of US 31. What I do not want in front of my property is sewage; I do not want to pay for all that to go in because I don't feel I'll be living there long anyway. But, I don't want to have to be paying for that and then not be able to use it because I have a perfectly good double septic tank and it works just fine and our well is just fine and apparently we haven't run out of water like other people have run out of water in this area because of the many wells that have had to be dug to take care of the water and sewage in this area. Some people have had their wells run dry, but our area where the sewage would come in is a deep area and I will not be hooked up in it. I don't like city water; I hate it and I've never drank it. I like well water and this is what I want. We don't always get what we want but that's what I like. I do not like it and do not want it and I am against the annexation. But that's it.

Tom Mullins: I'll fill out a card later too. My name's Tom Mullins; I live at 17233 Joliet Road, Westfield; the aforementioned large quadrant in the southwest. I wasn't going to speak tonight; I'm just sitting back trying to get information and I realized I don't envy your position. I don't know whether I'm for or against this, but I do see that you all have a challenge. Be honest with us; educate us; what's in it for us; what's in it for you? If it's tax money, just tell us. If we need to be a good steward and provide that for the township, just tell us, be honest. God Bless my neighbors for doing their homework; I kind of missed doing all that. But that's all I have to say. I think we're all in a good community, and we want to be good stewards of our property. I feel like an advocate; after Dr. Fleck spoke, I felt like veterinarians had to speak here. So anyway I want to be an advocate for the animals and our township and just communicate, open honest communication, that's what we want. Thank you.

Tom Lingle: My name's Tom Lingle; I live at 169th and Gray Road. I didn't fill out a green card; they're empty back there, but I promise I'm a resident, a legal resident. I did send a letter in and got a response from the Mayor, thank you. I am opposed to the annexation and the one thing I haven't heard brought up tonight, but I was told several years ago by the town was that if and when we were going to be annexed, and actually I was told we will be annexed whether we want to or not, it's just a matter of time, but that our parcel, which is agricultural will be listed as a non-conforming agricultural parcel, which will limit our parcel and that more along with all the other things that I've heard tonight really upsets me; it takes away our rights, and I don't see anything being offered in return for that.

Andy asked him what he is concerned about: "Concerned about our parcel being; although we'll still be labeled as an agricultural parcel, zoned agriculturally, it will be listed as a non-confirming agricultural parcel, and as it was explained to me, we are horse owners and if we decide, like we have four horses right now, and in the future we sell a horse or we give a horse to somebody or whatever, and we now have three horses, we can never have four horses again, even if we have the acreage and the means to take care of those animals, it doesn't matter, once that is changed, I was told that that will be the way it was and that was by a representative of the Town. Whether that's true or not; I don't know if anyone can answer that for me. This was three years ago.

Linda Naas: Linda Naas, 1122 East 161st Street. I am AG-SF-1; I am in the City of Westfield. I was in the last annexation. A lot of these are my friends and neighbors that I've been hearing from and they've made very good points. And what was allowed in our annexation written as part of our annexation allows us to maintain our agricultural rights so that we can perform and conduct our business and live our lives as rural agricultural people. I did not see that in any of these ordinances for these people who are agricultural. It is very important if they, if you do not consider giving them those rights, and they fall under the ordinances of a City, they can't conduct their normal activities. They have animals; they have fields; they have tractors; they have burning to do; I've heard that so many times and that's a reality. So I've seen nothing in these ordinances to allow that; I would encourage you to please, if you think you have to involuntarily annex these people, you must give them their rights to operate as rural agricultural people as they do now. The fact that they need those protections in there, we also in our ordinance were allowed the tax abatements and percentages that are written in the Indiana State Code. I saw none of that written in any of these ordinances either. So if you were, for example, were to give them the tax abatements for AG zonings and agricultural purposes is listed in the Indiana Code, there wouldn't be much incentive for you to go after that land other than to increase the AV overall which would affect your COIT so if that's the reason, explain to these people why you want them in the City and if that's the advantage you want, you can have that advantage and still give them

their lifestyle, their rights to live as they have been living. This does not, I believe, does not agree with the Comprehensive Plan which many of us spent hours and hours and months and years working on and spent \$100,000 plus when we said we didn't need it, we wrote it, everyone put in what they wanted, and this is not what they wanted. They did not want to become part of the city and lose their rights of their rural lifestyle. We still have people who come to visit us all the time; they love the rural atmosphere of Westfield; little do they know how quickly it is disappearing. Then as people come back they see it disappearing. As we've been annexed in, we see more and more and more encroachments coming; more overlays coming, more restrictions coming and it will start to inhibit our lifestyle. We have some protection in our annexation ordinance, but you are not even giving those to these friends and neighbors of mine so I'm asking you please consider this, consider their lifestyle, don't change it; don't make it impossible for them; don't put financial burdens on them that they don't need, and consider rewriting these ordinances or looking for voluntary annexations only. Thank you for your time.

Public Hearing closed at 9:20 p.m.

APPENDIX B. FIRE ARMS ORDINANCE

City of Westfield Ordinance

Chapter 43 OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE I. IN GENERAL

Sec. 43-1. Prohibition of firearms within the corporate limits of the town.

(a) This section shall apply to all areas within the corporate boundaries of the town.

(b) It is hereby unlawful for any person, to discharge a firearm as defined by I.C. § 35-47-1-5 within the corporate boundaries of the town.

(c) Any person who violates this section shall be subject to the penalties provided for by the State of Indiana for a class "C" infraction.

(d) This section shall not affect the use of firearms which have legally been approved for such use in areas designated for use of firearms or as otherwise approved by the police department.

(e) This section shall not prohibit the reasonable use of firearms in the protection of persons or property, including the protection of livestock or farm animals in an area zoned for agriculture use.

(Ord. No. 06-23, §§ I--V, 6-12-06)

Secs. 43-2--43-30. Reserved.

APPENDIX C. BURNING REGULATIONS

Indiana Code

IC 13-17-9

Chapter 9. Open Burning

IC 13-17-9-1

Open burning of certain vegetation and wood items; no permit required

Sec. 1. (a) Subject to section 3 of this chapter, a person may open burn the following for maintenance purposes:

(1) Vegetation from:

- (A) a farm;
- (B) an orchard;
- (C) a nursery;
- (D) a tree farm;
- (E) a cemetery; or
- (F) a drainage ditch.

(2) Vegetation from agricultural land if the open burn occurs in an unincorporated area.

(3) Wood products derived from pruning or clearing a roadside by a county highway department.

(4) Wood products derived from the initial clearing of a public utility right-of-way if the open burn occurs in an unincorporated area.

(5) Undesirable:

(A) wood structures on real property; or

(B) wood remnants of the demolition of a predominantly wooden structure originally located on real property; located in an unincorporated area.

(b) A person who is allowed to open burn under subsection (a) is not required to obtain:

(1) a permit; or

(2) any other authorization;

from the department, a unit of local government, or a volunteer fire department before conducting the open burning.

As added by P.L.1-1996, SEC.7. Amended by P.L.1-1999, SEC.35; P.L.238-2003, SEC.1.

IC 13-17-9-2

Railroad maintenance and repair

Sec. 2. Subject to section 3 of this chapter, a person may open burn clean petroleum products for the purpose of maintaining or repairing railroad tracks, including the railroad rights-of-way. A person may

not open burn railroad ties.

As added by P.L.1-1996, SEC.7.

IC 13-17-9-3

Conditions of open burning

Sec. 3. All open burning that is allowed under this chapter must comply with the following conditions:

(1) A person who open burns any material shall extinguish the fire if the fire creates a nuisance or fire hazard.

(2) Burning may not be conducted during unfavorable meteorological conditions such as high winds, temperature inversions, or air stagnation.

(3) All fires must be attended at all times during burning until completely extinguished.

(4) All asbestos containing materials must be removed before the burning of a structure.

(5) Asbestos containing materials may not be burned.

(6) Except as provided under section 1 of this chapter, all burning must comply with state and federal laws.

As added by P.L.1-1996, SEC.7.

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code

ARTICLE 4. BURNING REGULATIONS

Rule 1. Open Burning

326 IAC 4-1-0.5 Definitions

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9; IC 36-9-27-2

Sec. 0.5. Unless otherwise stated, the following definitions apply to this rule:

(1) "Adequate fire fighting equipment" means equipment sufficient and appropriate under the circumstances to extinguish the fire.

(2) "Clean petroleum products" means an uncontaminated, refined petroleum product, such as kerosene or diesel fuel, not previously used in any application.

(3) "Clean wood products" means wood products, including vegetation, that are not coated with stain, paint, glue, or other coating material.

(4) "Drainage ditch" shall have the meaning of regulated drain or open drain under IC 36-9-27-2.

(5) "Emergency burning" means the burning of clean wood waste or deceased animals caused by a natural disaster or an uncontrolled event such as the following:

(A) A tornado.

(B) High winds.

(C) An earthquake.

(D) An explosion.

(E) A hail storm, a rain storm, or an ice storm.

(6) "Open burn" means the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the air, without passing through a stack or chimney from an enclosed chamber.

(7) "Open burning approval" means an authorization allowing an activity that otherwise is not exempt or allowed by law.

(Air Pollution Control Board; 326 IAC 4-1-0.5; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3340; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

326 IAC 4-1-1 Scope

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9-3

Sec. 1. The requirements of this rule establish standards for open burning that would result in emissions of regulated pollutants. This rule applies to all open burning except for the following:

(1) Open burning by and at a source that has obtained a registration or permit under 326 IAC 2-5.1, 326 IAC 2-6.1, 326 IAC 2-7, or 326 IAC 2-8 that specifically regulates the open burning to be performed by and at the source. This rule does apply to open burning not addressed in such a registration or permit, or if the registration or permit requires compliance with this rule.

(2) Except as provided in IC 13-17-9-3, where open burning allowed under this rule is prohibited by other state or local laws, regulations, or ordinances.

(Air Pollution Control Board; 326 IAC 4-1-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2419; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3340; filed Nov 25, 1998, 12:13 p.m.: 22 IR 1067; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)

326 IAC 4-1-2 Prohibition against open burning

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9

Sec. 2. Open burning is prohibited except as allowed in this rule. The department encourages alternatives to open burning, such as sale or reuse. *(Air Pollution Control Board; 326 IAC 4-1-2; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2419; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1126; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3341; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

326 IAC 4-1-3 Exemptions

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9

Sec. 3. (a) IC 13-17-9 exempts certain types of open burning for maintenance purposes listed as follows:

- (1) A person may open burn the following:
 - (A) Vegetation from any of the following:
 - (i) A farm.
 - (ii) An orchard.
 - (iii) A nursery.
 - (iv) A tree farm.
 - (v) A cemetery.
 - (vi) A drainage ditch.
 - (vii) Agricultural land, if the open burn occurs in an unincorporated area.
 - (B) Wood products derived from the following:
 - (i) Pruning or clearing a roadside by a county highway department.
 - (ii) The initial clearing of a public utility right-of-way so long as the open burn occurs in an unincorporated area.
 - (C) Undesirable:
 - (i) wood structures on real property; or
 - (ii) wood remnants of the demolition of a predominantly wooden structure originally located on real property; located in an unincorporated area.
 - (D) Clean petroleum products for the purpose of maintaining or repairing railroad tracks, including the railroad rights-of-way, but not including railroad ties.
 - (2) All open burning that is allowed under this subsection must comply with the following conditions:
 - (A) A person who open burns shall extinguish the fire if the fire creates a nuisance or fire hazard.
 - (B) Burning may not be conducted during unfavorable meteorological conditions such as any of the following:
 - (i) High winds.
 - (ii) Temperature inversions.
 - (iii) Air stagnation.
 - (C) All fires must be attended at all times during burning until completely extinguished.
 - (D) All asbestos-containing materials must be removed before the burning of a structure.
 - (E) Asbestos containing materials may not be burned.
- (b) The types of fires identified in subsection (c) are allowed under this rule. Unless specified otherwise, the following conditions apply to any fire allowed by this subsection:
- (1) Fires must be attended at all times and until completely extinguished.
 - (2) If at any time a fire creates a:
 - (A) pollution problem;
 - (B) threat to public health;
 - (C) nuisance; or
 - (D) fire hazard;it shall be extinguished.
 - (3) No burning shall be conducted during unfavorable meteorological conditions such as any of the following:
 - (A) High winds.
 - (B) Temperature inversions.
 - (C) Air stagnation.
 - (D) When a pollution alert or ozone action day has been declared.
 - (4) All burning shall comply with other federal, state, and local laws, rules, and ordinances.
 - (5) Adequate firefighting equipment shall be on-site for extinguishing purposes during burning times.
 - (6) Burning shall be conducted during daylight hours only, and all fires shall be extinguished before sunset.
- (c) The following types of fires are allowed:
- (1) Recreational or ceremonial fires, such as fires for scouting activities, and fires used for cooking purposes, such as camp

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

fires, subject to the conditions in subsection (b)(1) through (b)(5) and the following conditions:

(A) Only:

- (i) clean wood products;
- (ii) paper;
- (iii) charcoal; or
- (iv) clean petroleum products;

may be burned.

(B) The local fire department and health department must be notified at least twenty-four (24) hours before any burning where the size of the pile being burned is more than one hundred twenty-five (125) cubic feet.

(C) Fires shall:

- (i) not be ignited more than two (2) hours before the recreational activity is to take place; and
- (ii) be extinguished upon conclusion of the activity.

(D) The pile to be burned shall be less than or equal to one thousand (1,000) cubic feet and only one (1) pile may be burned at a time.

(E) The fires shall not be used for disposal purposes.

(F) Fires shall not take place within five hundred (500) feet of any fuel storage area or pipeline.

(2) Private residential burning, where the building contains four (4) or fewer dwelling units. Burning is prohibited in apartment and condominium complexes and mobile home parks. Beginning June 23, 1995, residential open burning is prohibited in the counties listed in section 4.1(c) of this rule. Burning shall be subject to the conditions in subsection (b) and the following conditions:

(A) Burning shall be in a noncombustible container that:

- (i) is sufficiently vented to induce adequate primary combustion; and
- (ii) has enclosed sides and a bottom.

(B) Only clean wood products and paper may be burned.

(3) Waste oil burning where waste oil originates from spillage during testing of an oil well and has been collected in a properly constructed and located burn off pit as prescribed in 312 IAC 16-5-11 in the natural resources commission rules. Burning shall be subject to the conditions in subsection (b) and the following conditions:

(A) Each oil pit may be burned once every two (2) months.

(B) The fire must be extinguished within thirty (30) minutes of ignition.

(4) Department of natural resources (DNR) burning, to facilitate prescribed burning on DNR controlled properties for wildlife habitat maintenance, forestry purposes, natural area management, and firefighting or prevention; United States Department of the Interior burning, to facilitate a National Park Service Fire Management Plan for the Indiana Dunes National Lakeshore, for example; and United States Department of Agriculture, Forest Service burning, to facilitate wildlife habitat maintenance, forestry purposes, natural area management, ecosystem management, and fire-fighting or prevention. Burning shall be subject to conditions in subsection (b)(1) through (b)(5) and the following conditions:

(A) If the fire creates a:

- (i) nuisance;
- (ii) fire hazard; or
- (iii) pollution problem;

it shall be extinguished.

(B) No burning shall be conducted during unfavorable meteorological conditions, such as any of the following:

- (i) High winds.
- (ii) Temperature inversions.
- (iii) Air stagnation.
- (iv) When a pollution alert or ozone action day has been declared.

(C) Only vegetation and clean petroleum products may be burned.

Burning by the U.S. Forest Service for firefighting or prevention is not subject to the conditions in subsection (b) or this subdivision.

(5) Burning of marijuana by federal, state, and local law enforcement offices. Burning shall be subject to the conditions in subsection (b) and only clean petroleum products shall be used for ignition purposes.

(6) Burning, for the purpose of heating, using clean wood products or paper in a noncombustible container that is sufficiently

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

vented to induce adequate primary combustion, and has enclosed sides and a bottom. Burning shall be subject to the conditions in subsection (b)(1) through (b)(5) and the following conditions:

- (A) Burning shall only occur between October 1 and May 15.
- (B) Burning shall not be conducted for the purpose of disposal.
- (7) Burning of vegetation by fire departments and firefighters to create fire breaks for purposes of extinguishing an existing fire. Such burning is not subject to the conditions in subsection (b).
- (8) Burning of clean petroleum products, natural gas, methane, or propane for fire extinguisher training, subject to the conditions in subsection (b) and the following conditions:
 - (A) The local fire department and health department must be notified at least twenty-four (24) hours in advance of the date, time, and location of the burning.
 - (B) Except as provided in clause (C), daily fuel volume amounts burned are limited to one (1) of the following:
 - (i) Fourteen (14) gallons of clean petroleum products.
 - (ii) Two hundred twelve (212) gallons of propane.
 - (iii) Twenty-nine thousand seven hundred (29,700) cubic feet of natural gas or methane.
 - (C) A combination of the fuels listed in clause (B) may be burned each day. The amount of each fuel that can be burned each day shall be determined as follows:
 - (i) The volume of each fuel to be burned each day shall be calculated as a percentage of the maximum volume allowed in clause (B) for that fuel.
 - (ii) The sum of the percentages for each fuel burned each day shall not exceed one hundred percent (100%).
 - (D) All burning of clean petroleum products shall take place in a noncombustible container or enclosure that has enclosed sides and a bottom.
 - (E) All burning shall be conducted in such a manner so as to prevent any possibility of soil contamination or uncontrolled spread of the fire.
 - (F) Only one (1) fire may be allowed to burn at a time.

(Air Pollution Control Board; 326 IAC 4-1-3; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2419; filed May 24, 1995, 10:00 a.m.: 18 IR 2408; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3341; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Mar 21, 2007, 2:48 p.m.: 20070418-IR-326050268FRA)

326 IAC 4-1-4 Emergency burning

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9

Sec. 4. Emergency burning with prior oral approval of the commissioner or the commissioner's designated agent may be authorized for the following:

- (1) spilled or escaping liquid or gaseous petroleum products when all reasonable efforts to recover the spilled material have been made and failure to burn would result in an imminent fire or health hazard or air or water pollution problem; or
- (2) clean wood waste, vegetation, or deceased animals resulting from a natural disaster where failure to burn would result in an imminent health or safety hazard.

The commissioner or the commissioner's designated agent shall issue a written approval within seven (7) days of the oral approval. The written approval shall contain any conditions on emergency burning that the commissioner established in the oral approval. *(Air Pollution Control Board; 326 IAC 4-1-4; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2420; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3343; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477)*

326 IAC 4-1-4.1 Open burning approval; criteria and conditions

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 4-21.5; IC 13-12; IC 13-17-9

Sec. 4.1. (a) Burning not exempted by section 3 or 4 of this rule may be authorized by the issuance of an approval by the commissioner or the commissioner's designated agent after consideration of an approval application. Such burning may be authorized for, but not limited to, the following:

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

- (1) Burning for the purpose of fire training.
- (2) Burning of natural growth derived from a clearing operation, such as removal of natural growth for change in use of the land.
- (3) Burning of highly explosive or other dangerous materials for which no alternative disposal method exists or where transportation of such materials is hazardous.
- (4) Burning of clean wood products.
- (5) Burning of natural growth for the purpose of land management.
- (b) The following criteria may be considered for approval under this section:
 - (1) The applicant has demonstrated that alternative methods for disposal are impractical or prohibitively expensive.
 - (2) There are not more than five (5) residences or structures within five hundred (500) feet of the proposed burning site.
 - (3) There have been no open burning violations at the site of the proposed burning or by the applicant.
 - (4) If the application involves a structure for fire training, the structure has not been demolished prior to training activities.
 - (5) The burning site is located in a county not designated as a nonattainment area for PM₁₀ or ozone and is not located in Clark or Floyd County. The commissioner or the commissioner's agent may allow open burning in these areas, subject to conditions necessary to protect air quality.
- (c) No approval shall be granted at any time for residential burning in Clark, Floyd, Lake, or Porter County.
- (d) Any approval shall be subject to the following conditions unless otherwise stipulated in the open burning approval letter:
 - (1) Only clean wood products shall be burned.
 - (2) No asbestos-containing material shall be burned.
 - (3) No burning shall be conducted during unfavorable meteorological conditions, such as:
 - (A) high winds, temperature inversions, or air stagnation; or
 - (B) when a pollution alert or ozone action day has been declared.
 - (4) Burning shall be conducted during daylight hours only and all fires shall be extinguished prior to sunset.
 - (5) If at any time the fire creates:
 - (A) an air pollution problem;
 - (B) a threat to public health;
 - (C) a nuisance; or
 - (D) a fire hazard;the burning shall be extinguished.
- (6) The local fire department and health department must be notified at least twenty-four (24) hours in advance of the date, time, and location of the burning.
- (7) The approval letter shall be made available at the burning site to state and local officials upon request except during emergency burning.
- (8) Adequate fire fighting equipment shall be on-site for extinguishing purposes during burning times.
- (9) No burning shall take place within:
 - (A) one hundred (100) feet of any structure or powerline; or
 - (B) three hundred (300) feet of a frequently traveled road, fuel storage area, or pipeline.
- (10) Fires must be attended at all times until completely extinguished.
- (11) All burning must comply with other federal, state, or local laws, regulations, or ordinances, including 40 CFR 61, Subpart M* (National Emissions Standards for Asbestos).
- (12) No waste that is regularly generated as a result of a routine business operation shall be burned.
- (13) The material to be burned shall not exceed one thousand (1,000) cubic feet.
- (e) An approval letter shall be valid for no longer than one (1) year from the date of issuance. However, an approval letter may be valid for as long as five (5) years if the approval application is accompanied by an open burning plan. The plan shall:
 - (1) contain a description of the open burning proposed for the period of time for which an approval letter is sought; and
 - (2) be incorporated as a condition of the approval letter under subsection (d) or (f).Any change in the plan must receive an additional approval letter, unless the change is to reduce open burning or the change is to conduct burning exempted under section 3 of this rule. The plan shall be available for review upon the request by the department.
- (f) The commissioner or the commissioner's designated agent may add conditions to an approval letter, as necessary, to prevent a public nuisance or protect the public health or the environment. Such conditions may be based on local air quality conditions, including whether the area is a nonattainment county as defined in 326 IAC 1-4-1 or has been redesignated from nonattainment to

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

attainment status.

(g) A decision on the open burning approval letter is subject to IC 4-21.5 (Administrative Orders and Procedures Act).

*This document is incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 4-1-4.1; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3343; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Nov 15, 2002, 11:17 a.m.: 26 IR 1077*)

326 IAC 4-1-4.2 Open burning; approval revocation

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9

Sec. 4.2. The commissioner or the commissioner's designated agent may revoke an approval letter if the applicant:

- (1) violates any requirement of section 4.1(d) of this rule;
- (2) violates any condition added to the approval letter under section 4.1(f) of this rule; or
- (3) falsifies information on an application for an approval.

(*Air Pollution Control Board; 326 IAC 4-1-4.2; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3344; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477*)

326 IAC 4-1-4.3 Open burning approval; delegation of authority

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 4-21.5; IC 13-12; IC 13-17-9

Sec. 4.3. The commissioner may delegate the authority to issue open burning approval letters in accordance with this section to a local health department, fire department, solid waste management district, or other agency upon a demonstration that the agency:

- (1) has the necessary legal authority and resources to implement an approval program that is at least as protective of the public health, welfare, and the environment as the provisions of this rule; and
- (2) commits to implement the program described in subdivision (1) and to follow the public notification procedures of IC 4-21.5 in the issuance of approval letters.

The commissioner may establish conditions for the delegation and may revoke any such delegation if the commissioner determines that any condition has not been satisfied or the circumstances under which the delegation was issued have changed. (*Air Pollution Control Board; 326 IAC 4-1-4.3; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3344; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477*)

326 IAC 4-1-5 Liability for fire

Authority: IC 13-1-1-4; IC 13-7-7

Affected: IC 13-1-1

Sec. 5. Any person who allows the accumulation or existence of combustible material which constitutes or contributes to a fire causing air pollution may not refute liability for violation of this rule (326 IAC 4-1) on the basis that said fire was set by vandals, accidental, or an act of God. (*Air Pollution Control Board; 326 IAC 4-1-5; filed Mar 10, 1988, 1:20 pm: 11 IR 2420; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477*)

326 IAC 4-1-6 Air curtain destructors; approval; exemptions

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9

Sec. 6. (a) An owner or operator of an air curtain destructor as defined in 326 IAC 1-2-2.5 shall submit an application to the department to obtain a letter of approval from the commissioner or the commissioner's designated agent prior to its installation or operation at a new site. The owner or operator:

- (1) shall not operate the air curtain destructor unless the owner or operator holds a valid letter of approval; and
- (2) shall maintain the letter of approval at the air curtain destructor site at all times for verification by state or local officials.

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

(b) Burning exempted under section 3 of this rule does not require a letter of approval from the commissioner under this section. However, the burning shall comply with the conditions set forth in section 7 of this rule. (*Air Pollution Control Board; 326 IAC 4-1-6; filed Jan 6, 1989, 3:30 p.m.; 12 IR 1126; filed Jul 30, 1996, 2:00 p.m.; 19 IR 3345; readopted filed Jan 10, 2001, 3:20 p.m.; 24 IR 1477*)

326 IAC 4-1-7 Air curtain destructors; approval conditions

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 4-21.5; IC 13-12; IC 13-17-9

Sec. 7. (a) To obtain an air curtain destructor letter of approval, the owner or operator shall ensure that installation and operation of such air curtain destructor will comply with subdivisions (1) through (22) as follows. Burning shall be terminated immediately at any air curtain destructor site that does not comply with this section.

- (1) Only untreated wood products shall be burned, except for minimal amounts of uncontaminated petroleum products that may be used for ignition.
- (2) Burning shall not be conducted during unfavorable meteorological conditions, such as high winds or air stagnation or when a pollution alert or ozone action day has been declared.
- (3) The air curtain destructor shall not be operated prior to one (1) hour after official sunrise, the fire shall not be fed after two (2) hours before official sunset, the fire must be completely extinguished by official sunset, and at least one (1) foot of dirt must be placed over the ashes in the pit by official sunset.
- (4) An air curtain destructor site shall be located no less than two hundred fifty (250) feet from any private residence, public roadway, power line, or structure, and no less than five hundred (500) feet from any pipeline or fuel storage area.
- (5) An air curtain destructor site shall not be located within one thousand (1,000) feet of a solid waste land disposal facility as defined in 329 IAC 10-2-176 or transfer station as defined in 329 IAC 11-2-47.
- (6) An air curtain destructor shall not be permanently located at any site.
- (7) An air curtain destructor shall be attended at all times while burning and until combustion is complete. Adequate firefighting equipment shall be maintained at an air curtain destructor site at all times during operation.
- (8) Burning shall not create or contribute to:
 - (A) an air pollution problem;
 - (B) a nuisance; or
 - (C) a fire hazard.
- (9) An air curtain destructor and pit shall be maintained and operated according to the manufacturer's specifications and recommendations.
- (10) The fan blades of the air curtain destructor shall be regularly cleaned to reduce buildup of dirt and debris.
- (11) All canisters must be properly aligned, connected, and maintained so as to prevent leaks between adjacent canisters.
- (12) The nozzles must be maintained in good working condition. The minimum average velocity at the nozzle must be nine thousand fifty (9,050) feet per minute, and the air flow at the nozzle must be a minimum of seven hundred fifty (750) cubic feet per minute per foot of length.
- (13) The engine running the air curtain destructor fan must be maintained in proper working condition.
- (14) The width of the pit shall not extend beyond the length of the nozzle action.
- (15) The distance from the air curtain destructor to the opposite wall of the pit shall not exceed ten (10) feet.
- (16) The depth of the pit shall be of such distance to allow all burning material to be below the curtain of air created by the air curtain destructor.
- (17) All nozzles shall be aligned and directed toward the opposite wall so that the air strikes the opposite wall at least three (3) feet below the grade upon which the air curtain destructor is located so that the air tumbles in the pit.
- (18) The air curtain destructor shall not be at a higher elevation than the elevation of the opposite wall.
- (19) The pit shall be enclosed on four (4) sides, and the walls shall be perpendicular to level ground.
- (20) Material being loaded into the pit shall be picked up and dropped into the pit, and at no time shall the material protrude through the curtain of air while burning.
- (21) The approval letter shall be made available at the burning site to state or local officials upon request.
- (22) The owner or operator of an air curtain destructor shall provide twenty-four (24) hour notification in advance to the local fire department and the local health department of the dates and times that the air curtain destructor will be in operation.

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

(b) An air curtain destructor letter of approval shall be valid for no longer than one (1) year.

(c) The commissioner or the commissioner's designated agent may add conditions to an air curtain destructor letter of approval as necessary to prevent a public nuisance or protect the public health.

(d) A decision on the air curtain destructor letter of approval is subject to IC 4-21.5 (Administrative Orders and Procedures Act (AOPA)). (*Air Pollution Control Board; 326 IAC 4-1-7; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1127; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3345; errata filed Oct 3, 2000, 2:31 p.m.: 24 IR 381; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477*)

326 IAC 4-1-8 Air curtain destructors; approval revocation

Authority: IC 13-15-2-1; IC 13-17-3-4

Affected: IC 13-12; IC 13-17-9

Sec. 8. The commissioner or the commissioner's designated agent may revoke an air curtain destructor letter of approval if the owner or operator:

- (1) violates any requirement of section 7(a) of this rule;
- (2) violates any condition added to the letter of approval under section 7(c) of this rule;
- (3) violates any other state or local rule or ordinance pertaining to the installation or operation of air curtain destructors;
- (4) falsifies information on an application for a letter of approval; or
- (5) operates an air curtain destructor in a manner that is hazardous to the public health.

(*Air Pollution Control Board; 326 IAC 4-1-8; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1127; filed Jul 30, 1996, 2:00 p.m.: 19 IR 3346; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; errata filed Dec 12, 2002, 3:35 p.m.: 26 IR 1567*)

Rule 2. Incinerators

326 IAC 4-2-1 Applicability

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

Sec. 1. (a) This rule establishes standards for the use of incinerators which emit regulated pollutants.

(b) This rule does not apply to the following:

(1) Incinerators in residential units consisting of four (4) or fewer families.

(2) Sources subject to the following:

(A) 40 CFR 60 Subpart Eb*, Large Municipal Waste Combustors for which Construction Commenced after September 20, 1994.

(B) 40 CFR 60 Subpart Ec*, Hospital/Medical/Infectious Waste Incinerators for which Construction Commenced after June 20, 1996.

(C) 40 CFR 60 Subpart CCCC*, Commercial and Industrial Solid Waste Incineration Units for which Construction Commenced after November 30, 1999.

(D) The state plan approved under 40 CFR 62.3640* through 40 CFR 62.3642*, Hospital/Medical/Infectious Waste Incinerators.

(E) The state plan approved under 40 CFR 62.3650* through 40 CFR 62.3652*, Large Municipal Waste Combustors.

(F) 40 CFR 63 Subpart EEE*, Hazardous Waste Combustors.

*These documents are incorporated by reference and may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 4-2-1; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2420; filed Apr 22, 1997, 2:00 p.m.: 20 IR 2366; filed Dec 20, 2001, 4:30 p.m.: 25 IR 1597; filed Nov 15, 2002, 11:12 a.m.: 26 IR 1071*)

326 IAC 4-2-2 Incinerators

Authority: IC 13-14-8; IC 13-17-3-4

Affected: IC 13-17-3

Appendix C. Burning Regulations (Continued)

Indiana Administrative Code (Continued)

Sec. 2. (a) All incinerators shall comply with the following requirements:

- (1) Consist of primary and secondary chambers or the equivalent.
- (2) Be equipped with a primary burner unless burning only wood products.
- (3) Comply with 326 IAC 5-1 and 326 IAC 2.
- (4) Be maintained, operated, and burn waste in accordance with the manufacturer's specifications or an operation and maintenance plan as specified in subsection (c).
- (5) Not emit particulate matter in excess of one (1) of the following:

(A) Three-tenths (0.3) pound of particulate matter per one thousand (1,000) pounds of dry exhaust gas under standard conditions corrected to fifty percent (50%) excess air for incinerators with a maximum solid waste capacity of greater than or equal to two hundred (200) pounds per hour.

(B) Five-tenths (0.5) pound of particulate matter per one thousand (1,000) pounds of dry exhaust gas under standard conditions corrected to fifty percent (50%) excess air for incinerators with solid waste capacity less than two hundred (200) pounds per hour.

- (6) If any of the requirements of subdivisions (1) through (5) are not met, then the owner or operator shall stop charging the incinerator until adjustments are made that address the underlying cause of the deviation.

(b) An incinerator is exempt from subsection (a)(5) if subject to a more stringent particulate matter emission limit in 40 CFR 52 Subpart P*, State Implementation Plan for Indiana.

(c) An owner or operator developing an operation and maintenance plan pursuant to subsection (a)(4) must comply with the following:

- (1) The operation and maintenance plan must be designed to meet the particulate matter emission limitation specified in subsection (a)(5) and include the following:

(A) Procedures for receiving, handling, and charging waste.

(B) Procedures for incinerator startup and shutdown.

(C) Procedures for responding to a malfunction.

(D) Procedures for maintaining proper combustion air supply levels.

(E) Procedures for operating the incinerator and associated air pollution control systems.

(F) Procedures for handling ash.

(G) A list of wastes that can be burned in the incinerator.

- (2) Each incinerator operator shall review the plan before initial implementation of the operation and maintenance plan and annually thereafter.

(3) The operation and maintenance plan must be readily accessible to incinerator operators.

(4) The owner or operator of the incinerator shall notify the department, in writing, thirty (30) days after the operation and maintenance plan is initially developed pursuant to this section.

(d) The owner or operator of the incinerator must make the manufacturer's specifications or the operation and maintenance plan available to the department upon request.

*This document is incorporated by reference and may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20401 or is available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center-North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 4-2-2; filed Mar 10, 1988, 1:20 p.m.: 11 IR 2421; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1127; filed Nov 15, 2002, 11:12 a.m.: 26 IR 1071*)

326 IAC 4-2-3 Portable incinerators (Repealed)

Sec. 3. (*Repealed by Air Pollution Control Board; filed Jan 6, 1989, 3:30 p.m.: 12 IR 1128*)

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